



MINISTRY OF HEALTH

Statutory functions and compositions of Government Portfolio

Subjects

- Curative Services
- Drugs
- Food and Nutrition Policy
- Health Care
- Health Information System
- Health Personnel Training
- Health Policy
- Health Services Laboratory and Research Services
- Occupational Safety and Health Services

Statutory Bodies/Institutions

- Chest Diseases Laboratory
- Food and Drugs Board
- General Nursing Council of Zambia
- Health Professions Council of Zambia
- Medical Store Limited
- National Food and Nutrition Commission
- National HIV/AIDS/STI/TB Council
- Pharmaceutical Regulatory Authority
- Radiation Protection Authority
- Tropical Diseases Research Centre
- Zambia Flying Doctor Service
- Zambia Red Cross Society

Legislation

 [Click to view Legislation](#)

- | | |
|--------------------------------------------------------------------------------------|------------------------------------|
| Dangerous Drugs | Cap. 95 |
| Flying Doctor Service | Cap. 298 |
| Food and Drugs | Cap. 303 |
| Health Professions | Act No. 24 of 2009 |
| Human Tissue | Cap. 306 |
| Medical Aid Societies and Nursing Home (Dissolution and Prohibition) | Cap. 317 |
| Mental Disorders | Cap. 305 |
| National Food and Nutrition Commission | Cap. 308 |
| National HIV/AIDS/STI/TB Council | Act No. 10 of 2002 |
| Nurses and Midwives | Act No. 31 of 1997 |
| Pharmaceutical | Act No. 14 of 2004 |
| Public Health | Cap. 295 |
| Termination of Pregnancy | Cap. 304 |
| Tropical Diseases Research Centre | Cap. 301 |
| Zambia Red Cross Society | Cap. 307 |



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CHAPTER 95 THE DANGEROUS DRUGS ACTCHAPTER 95

THE DANGEROUS DRUGS ACT

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OTHER DRUGS AND INTERMEDIATE PRODUCTS OF SYTHESIS THEREOF



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CHAPTER 95

DANGEROUS DRUGS

42 of 1967
19 of 1985
2 of 1989
13 of 1994

An Act to control the importation, exportation, production, possession, sale, distribution and use of dangerous drugs; and to provide for matters incidental thereto.

[26th August, 1967]

PART I PRELIMINARYPART I

PRELIMINARY

1. This Act may be cited as the Dangerous Drugs Act.

Short title

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Interpretation

2. (1) In this Act, unless the context otherwise requires-

"cannabis" (except where used in the expression "cannabis resin") means the flowering or fruiting tops of any plant of the genus *cannabis* from which the resin has not been extracted, by whatever name they may be designated;

"cannabis resin" means the separated resin, whether crude or purified, obtained from any plant of the genus *cannabis*;

"coca leaves" means the leaves of any plant of the genus of the *erythroxyloaceae* from which cocaine can be extracted, either directly or by chemical transformation;

"the Commission" means the Commission on Narcotic Drugs of the Economic and Social Council of the United Nations;

"corresponding law" means a law stated in a certificate purporting to be issued by or on behalf of the government of a country outside Zambia to be a law providing for the control and regulation in that country of the manufacture, sale, use, export and import of drugs and other substances in accordance with the provisions of the Single Convention, or a law providing for the control and regulation in that country of the manufacture, sale, use, export and import of drugs in accordance with the provisions of the Hague Convention, the Geneva Convention (No. 1) and the Geneva Convention (No. 2) as respectively amended by the Protocol;

"the Geneva Convention (No. 1)" means the international Opium Convention signed at Geneva on the 19th February, 1925;

"the Geneva Convention (No. 2)" means the Convention signed at Geneva on the 13th July, 1931, being the Convention for the purpose of supplementing the Geneva Convention (No. 1) and the Hague Convention;

"the Hague Convention" means the International Opium Convention signed at the Hague on the 23rd January, 1912;

"inspector" means a person appointed as an inspector under section *sixteen*;

"medicinal opium" means raw opium which has undergone the processes necessary to adapt it for medicinal use, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances;

"opium poppy" means the plant of the species *Papaver somniferum L*;

"the Organisation" means the World Health Organisation;

"poppy-straw" means all parts except the seeds of the opium poppy, after mowing;

"the Protocol" means the Protocol on Narcotic Drugs signed at Lake Success, New York, on the 11th December, 1946;

"raw opium" includes powdered or granulated opium, but does not include medicinal opium;

"the Single Convention" means the Single Convention on Narcotic Drugs signed at New York on the 30th March, 1961.

(2) In any certificate referred to in the definition of "corresponding law" in subsection (1), a statement as to the effect of the law mentioned in such certificate or a statement in any such certificate that any facts constitute an offence against that law shall be conclusive.

(3) The specification in paragraph 1 of the Schedule of a substance shall, if the existence of isomers of that substance is possible within the specific chemical designation thereof, be taken to comprehend the specification of any isomer of that substance whose existence is possible as aforesaid; and references in paragraphs 2, 3, 8, 13 and 14 of the Schedule to a substance for the time being specified in the said paragraph 1 shall be construed accordingly.

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(4) For the purposes of this Act, an article shall be deemed to be imported under licence or exported under licence if the importer or exporter, as the case may be, is the holder of a licence issued under this Act authorising the importation or exportation, as the case may be, of the article and complies with the conditions, if any, of the licence, but not otherwise.

PART II RAW OPIUM, COCA LEAVES, POPPY-STRAW, CANNABIS, ETC.PART II

RAW OPIUM, COCA LEAVES, POPPY-STRAW, CANNABIS, ETC.

3. The drugs to which this Part applies are raw opium, coca leaves, poppy-straw, cannabis, cannabis resin and all preparations of which cannabis resin forms the base. Drugs to which Part II applies

4. It shall not be lawful for a person to import into Zambia a drug to which this Part applies except under a licence granted by the Minister. Restriction of importation of drugs to which Part II applies

5. (1) It shall not be lawful for a person to export from Zambia a drug to which this Part applies except under a licence granted by the Minister. Restriction of exportation of drugs to which Part II applies

(2) If at any time the importation into a foreign country of a drug to which this Part applies is prohibited or restricted by the laws of that country, there shall, while that prohibition or restriction is in force, be attached to every licence which is issued by the Minister under this Act authorising the export of that drug from Zambia such conditions as appear to him necessary for preventing or restricting, as the case may be, the exportation of that drug from Zambia to that country during such time as the importation of that drug into that country is so prohibited or restricted, and any such licence issued before the prohibition or restriction came into force shall, if the Minister by order so directs, be deemed to be subject to the like conditions.

6. The Minister may by regulations- Power to control production, sale, etc., of drugs to which Part II applies

- (a) provide for controlling or restricting the production, possession, sale and distribution of drugs to which this Part applies;
- (b) provide for prohibiting the production, possession, sale or distribution of any drug to which this Part applies except by persons licensed or otherwise authorised in that behalf by the Minister, and the cultivation of plants from which such drugs are derived;
- (c) prescribe measures to be taken for the eradication of plants, to which regulations made under paragraph (b) apply, found to be growing wild.

7. If a person- Penalisation of permitting premises to be used for smoking cannabis, etc.

- (a) being the occupier of any premises, permits those premises to be used for the purpose of smoking cannabis or cannabis resin or of dealing in cannabis resin (whether by sale or otherwise); or
- (b) is concerned in the management of any premises used for any such purpose as aforesaid;

he shall be guilty of an offence against this Act.

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- 8.** A person who, except under a licence granted by the Minister, knowingly cultivates any plant of the genus cannabis shall be guilty of an offence against this Act. Penalisation of intentional cultivation of cannabis plant

PART III PREPARED OPIUM

PREPARED OPIUM

- 9.** It shall not be lawful for a person to import into, or to export from, Zambia, any prepared opium. Prohibition of importation and exportation of prepared opium

10. If a person-

- (a) manufactures, sells or otherwise deals in prepared opium; or
- (b) has in his possession any prepared opium; or
- (c) being the occupier of any premises, permits those premises to be used for the purpose of the preparation of opium for smoking or the sale or smoking of prepared opium; or
- (d) is concerned in the management of any premises used for any such purpose as aforesaid; or
- (e) has in his possession any pipes or other utensils for use in connection with the smoking of opium or any utensils used in connection with the preparation of opium for smoking; or
- (f) smokes or otherwise uses prepared opium or frequents a place used for the purpose of opium smoking;

Penalisation of manufacture, sale, use, etc., of prepared opium

he shall be guilty of an offence against this Act.

- 11.** In this Part, "prepared opium" means opium prepared for smoking, and includes dross and any other residues remaining after opium has been smoked. Meaning of "prepared opium"

PART IV OTHER DRUGS AND INTERMEDIATE PRODUCTS OF SYNTHESIS THEREOF

OTHER DRUGS AND INTERMEDIATE PRODUCTS OF SYNTHESIS THEREOF

- 12.** It shall not, except under a licence granted by the Minister, be lawful for a person to import into, or to export from, Zambia a substance for the time being specified in Part I of the Schedule other than a preparation or other substance for the time being falling within Part II of the Schedule. Restriction of importation and exportation of substances specified in Part I, but falling within Part II, of Schedule

- 13.** (1) For the purpose of preventing the improper use of the substances for the time being specified in Part I of the Schedule, the Minister may by regulations provide for controlling the manufacture, sale, possession and distribution of those substances, and in particular, but without prejudice to the generality of the foregoing power, for- Power to control manufacture, sale, etc., of substances specified in Part I of Schedule

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- (a) prohibiting the manufacture of a substance for the time being so specified except on premises licensed for the purpose by the Minister and subject to any conditions specified in the licence;
- (b) prohibiting the manufacture, sale or distribution of a substance for the time being so specified except by persons licensed or otherwise authorised under the regulations by the Minister and subject to any conditions specified in the licence or authority;
- (c) regulating the issue by any medical practitioner, dental surgeon or veterinary surgeon of prescriptions containing a substance for the time being so specified and the dispensing of any such prescriptions; and
- (d) requiring persons engaged in the manufacture, sale or distribution of a substance for the time being so specified to keep such books and furnish such information either in writing or otherwise as may be prescribed by the regulations.

(2) The regulations under this section shall provide for authorising a person lawfully carrying on business in accordance with the provisions of the Pharmacy and Poisons Act as an authorised seller of poisons- Cap. 299

- (a) in the ordinary course of his retail business to manufacture, at any premises duly registered under Part II of the Pharmacy and Poisons Act, any preparation, admixture, or extract of a substance for the time being specified in Part I of the Schedule; or Cap. 299
- (b) to carry on at any such premises as aforesaid the business of retailing, dispensing or compounding any such substance;

subject to the power of the Minister to withdraw the authorisation in the case of a person who has been convicted of an offence against this Act and who cannot, in the opinion of the Minister, properly be allowed to carry on the business of manufacturing or selling or distributing, as the case may be, any such substance as aforesaid.

(3) Nothing in any regulations made under this section shall be taken to authorise the sale by retail of poisons by a person who is not qualified in that behalf under, or otherwise than in accordance with, the provisions of the Pharmacy and Poisons Act or to be in derogation of the provisions of the said Act for prohibiting, restricting or regulating the sale of poisons. Cap. 299

14. If-

Power of Minister to amend Schedule

- (a) it appears to the Minister that a decision of the Commission or Organisation to alter any of the Schedules to the Single Convention or to apply to a substance measures of control applicable under that Convention to substances specified in the First Schedule thereto, requires the addition of a substance to, or the removal of a substance from, Part I or Part II of the Schedule to this Act or both the removal of a substance from Part I of that Schedule and the removal of a substance from Part II thereof; or
- (b) it appears to the Minister probable that there will be taken such a decision as aforesaid of the Commission or of the Organisation as will require the addition of a substance to Part I of the Schedule to this Act and that, in the circumstances of the case, it is expedient to anticipate the decision;

the Minister may, by statutory order, make the requisite modifications in the said Schedule.

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PART V GENERALPART V

GENERAL

15. A person-

Miscellaneous offences

- (a) who acts in contravention of, or fails to comply with, a regulation made under this Act; or
- (b) who acts in contravention of, or fails to comply with the conditions of a licence issued or authority granted under, or in pursuance of, this Act; or
- (c) who for the purpose of obtaining, whether for himself or for any other person, the issue, grant or renewal of any such licence or authority as aforesaid, makes a declaration or statement which is false in any particular, or knowingly utters, produces or makes use of any such declaration or statement or a document containing the same; or
- (d) who in Zambia aids, abets, counsels or procures the commission in a place outside Zambia of an offence punishable under the provisions of a corresponding law in force in that place, or does an act preparatory to, or in furtherance of, an act which if committed in Zambia would constitute an offence against this Act;

shall be guilty of an offence against this Act.

16. (1) Subject to the provisions of subsection (2), the Minister may appoint inspectors for the purposes of this Act.

Appointment of inspectors

(2) No person shall be appointed as an inspector unless he is a person authorised to compound or dispense poisons or drugs under the Pharmacy and Poisons Act.

Cap. 299

17. (1) An inspector shall, for the purpose of the execution of Parts II, III and IV, have power to enter the premises of a person carrying on the business of a producer, manufacturer, seller or distributor of any drugs to which Part II or III applies or any substances for the time being specified in Part I of the Schedule and to demand the production of, and to inspect, any books or documents relating to dealings in any such drugs or substances and to inspect any stocks of any such drugs or substances.

Powers of entry and inspection

(2) If a magistrate is satisfied by information on oath that there is reasonable ground for suspecting-

- (a) that any drugs to which Part II or III applies or any substances for the time being specified in Part I of the Schedule are, in contravention of the provisions of this Act or any regulations made thereunder, in the possession or under the control of a person in any premises, place, receptacle, aircraft, boat, train or other vehicle of whatever description; or

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- (b) that a document directly or indirectly relating to, or connected with, a transaction or dealing which was, or an intended transaction or dealing which would if carried out be, an offence against this Act, or in the case of a transaction or dealing carried out or intended to be carried out in a place outside Zambia, an offence against the provisions of a corresponding law in force in that place, is in the possession or under the control of a person in any premises, place, receptacle, aircraft, boat, train or other vehicle of whatever description:

he may grant a search warrant authorising any inspector, customs officer or police officer named in the warrant, at any time or times within one month from the date of the warrant, to enter, if need be by force, such premises, place, receptacle, aircraft, boat, train or other vehicle, as the case may be, and to search the same and any persons found therein and, if there is reasonable ground for suspecting that an offence against this Act has been committed in relation to any such drugs or substances as aforesaid which may be found in such premises, place, receptacle, aircraft, boat, train or other vehicle or in the possession of any such persons, or that a document which may be so found is such a document as is mentioned in paragraph (b), to seize and detain those drugs or substances or that document, as the case may be.

(3) If a person wilfully delays or obstructs a person in the exercise of his powers under this section or fails to produce, or, conceals or attempts to conceal, any such books, stocks, drugs, substances or documents as aforesaid, he shall be guilty of an offence against this Act.

18. A police officer may arrest without warrant a person who has committed or attempted to commit, or is reasonably suspected by the police officer of having committed or attempted to commit an offence against this Act, if he has reasonable ground for believing that that person will abscond unless arrested, or if the name and address of that person are unknown to, and cannot be ascertained by, him.

Power of arrest

19. (1) Every person guilty of an offence against this Act shall, in respect of each offence, be liable (subject to subsection (2)) on conviction to a fine not exceeding five thousand penalty units or to imprisonment for a period not exceeding three years, or to both.

Penalties and forfeiture

(2) No person shall, on conviction for an offence against this Act consisting in a contravention of, or failure to comply with, a regulation under this Act relating to the keeping of books or the issuing or dispensing of prescriptions containing drugs to which Part II or III applies or substances for the time being specified in Part I of the Schedule, be sentenced to imprisonment without the option of a fine or to pay a fine exceeding three thousand two hundred penalty units, if the court is satisfied that the offence was committed through inadvertence, and was not preparatory to, or committed in the course of, or in connection with, the commission or intended commission of any other offence against this Act.

(3) A person convicted of an offence against this Act shall forfeit to the Republic all articles in respect of which the offence was committed, and the court before which he is convicted may order those articles to be destroyed or otherwise disposed of as the court thinks fit.

(As amended by Acts No. 19 of 1985, No. 2 of 1989 and No. 13 of 1994)

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19A. Notwithstanding the penalties provided for in section *nineteen*, where a person is convicted of an offence under this Act, and the court is satisfied that the offence relates to trafficking in any drug to which Part II, III or IV of the Act applies, the offender shall be liable to an unlimited fine of not less than five hundred penalty units or to imprisonment for a period not exceeding fifteen years or to both, such fine and imprisonment.

(As amended by Acts No.19 of 1985 and No. 13 of 1994)

Penalty for trafficking

20. If a person attempts to commit an offence against this Act, or solicits or incites another person to commit such an offence, he shall, without prejudice to any other liability, be liable on conviction to the same punishment and forfeiture as if he had committed an offence against this Act.

Attempts, etc., to commit offences

21. Where a person convicted of an offence against this Act is a company, the chairman and every director and every officer concerned in the management of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his knowledge or consent.

Offences by companies

22. A licence or authority issued or granted for the purposes of this Act by the Minister may be issued or granted on such terms and subject to such conditions (including, in the case of a licence, the payment of a fee) as the Minister thinks proper.

Licences and authorities



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SCHEDULE

(Sections 12, 13 and 14)

SUBSTANCES DEALINGS IN WHICH ARE SUBJECT TO CONTROL UNDER PART IV

PART I

SUBSTANCES DEALINGS IN WHICH ARE SUBJECT TO CONTROL EXCEPT, IN THE CASE OF ANY SPECIFIED IN PART II, AS REGARDS IMPORTATION AND EXPORTATION



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1. Acetorphine (M 183)
Acetyldihydrocodeine
Allylprodine
Alphacetylmethadol
Alphameprodine
Alphamethadol
Alphaprodine
Amphetamine
Anileridine
Benzethidine
Benzylmorphine (3-benzylmorphine)
Betacetylmethadol
Betameprodine
Betamethadol
Betaprodine
Clonitszene
Cocaine
Codeine
Desomorphine
Dexamphetamine
Dextromoramide
Diamorphine
Diampromide (n-(2-(N-methylphenethylamino)propyl)propionanilide)
Diethylthiambutene
Dihydrocodeine
Dihydromorphine
Dimenoxadole
Dimepheptanol
Dimethylthiambutene
Dioxaphetyl butyrate
Diphenoxylate
Dipipanone
Egonine
Ethylmethylthiambutene
Ethylmorphine (3-ethylmorphine)
Eticyclidine
Etonitazene
Etorphine (M99)
Etoxidine
Fentanyl
Furethidine
Hydrocodone (dihydrocodsinone)
Hydromorfinol
Hydromorphone
Hydroxypethidine
Hydroxy-7,8,9,10-tetrahydro 6,6,9-trimethyl-dibenzo (b,d) pyran
Isomethadone
Ketobemidone
Levomethorphan
Levomoramide
Levophenacymorphan
Levorphanol
Mecloqualone
*Metaqualone
Metazocine
Methadone
Methadyl acetate
Methamphetamine
Methyldesorphine
Methyldihydromorphine (6-methyldihydromorphine)
Methypheridase
Metapon
Morpheridine
Morphine
Morphine methobromide, morphine-N-oxide and other pentavalent nitrogen morphine derivatives
Myrophine
Nicocodine
Nicodicodine
Nicomorphine (3,6-dinicotinoylmorphine)

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PART II

PREPARATIONS AND OTHER SUBSTANCES FALLING WITHIN PART I WHOSE IMPORTATION AND EXPORTATION IS EXCEPTED FROM CONTROL

9. (1) A preparation of not more than one of the substances to which this paragraph applies, when compounded with one or more other ingredients and containing not more than 100 milligrammes of the substance per dosage unit and with a concentration of not more than 2.5 per centum in undivided preparations.
- (2) The substances to which this paragraph applies are acetyldihydro-eoedine, codeine, dihydrocodeine, ethylmorphine (3-ethylmorphine), norcodeine, pholeodine and their respective salts.
10. A preparation of cocaine containing not more than 0.1 per centum of cocaine calculated as cocaine base, being a preparation compounded with one or more other ingredients in such a way that the cocaine cannot be recovered by readily applicable means or in a yield which would constitute a risk to health.
11. A preparation of medicinal opium or morphine containing (in either case) not more than 0.2 per centum of morphine calculated as anhydrous morphine base, being a preparation compounded with one or more other ingredients in such a way that the opium or, as the case may be, the morphine, cannot be recovered by readily applicable means or in a yield which would constitute a risk to health.
12. Preparations of diphenoxylate containing, per dosage unit, not more than 2.5 milligrammes of diphenoxylate calculated as base and not less than 25 microgrammes of atropine sulphate.
13. Pulvis Ipecacuanhae et Opii Compositus:
10 per centum opium, in powder,
10 per centum Ipecacuanha root, in powder, well mixed with
80 per centum of any other powdered ingredient containing neither a drug to which Part II or III of this Act applies nor a substance for the time being specified in paragraph 1 of this Schedule or in any of paragraphs 2 to 8 thereof.
14. Mixtures containing not more than one of the preparations specified in paragraphs 9 to 13, being mixtures whereof none of the other ingredients is either a drug to which Part II or III of this Act applies or a substance for the time being specified in paragraph 1 of this Schedule or in any of paragraphs 2 to 8 thereof.

SUBSIDIARY LEGISLATION

THE DANGEROUS DRUGS REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I PRELIMINARYPART I

PRELIMINARY

Regulation

1. Title
2. Interpretation



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PART II CONTROL OF RAW OPIUM, ETC.PART II

CONTROL OF RAW OPIUM, ETC.

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5. Possession of drugs
6. General authority for certain classes of persons to possess and supply drugs
7. Cultivation of plants
8. Clearing of plants from land by owner or occupier
9. Keeping of register

PART III CONTROL OF SUBSTANCES IN PART I OF THE SCHEDULE TO THE ACTPART III

CONTROL OF SUBSTANCES IN PART I OF THE SCHEDULE TO THE ACT

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12. Supply, procuring, and advertising of drugs and preparations
13. Possession of drugs and preparations
14. General authority for certain classes of persons to possess and supply drugs and preparations
15. Special provisions in respect of certain public officers, etc.
16. Special provisions in respect of midwives
17. Special provisions in respect of operators of aircraft
18. General authority for authorised sellers of poisons to manufacture preparations and to retail drugs and preparations
19. Form of prescription
20. Provisions as to supply on prescription
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22. Treatment of drug addicts
23. Markings of packets and bottles
24. Production of order in writing to supplier
25. Keeping of register

PART IV GENERALPART IV

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26. Definition of "drug"
27. Definition of "possession"
28. Supply otherwise than on prescription
29. Withdrawal of authority
30. Consignment between places outside Zambia
31. Revocation or amendment of licence or group authority
32. Requirements as to registers
33. Preservation of documents
34. Exemption of police officers and carriers
35. Exemption of certain classes of agents
36. Requirements in respect of cessation of practice, etc.
37. Construction of licence or authority
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39. Form of application for licence
40. Revocation of F.G.N. No. 59 of 1956 and savings

FIRST SCHEDULE-Midwives' Supply Order

SECOND SCHEDULE-Form of Register

THIRD SCHEDULE-Prescribed Fees preparation,

DANGEROUS DRUGS

SECTION 6-DANGEROUS DRUGS REGULATIONS

Regulations by the Minister

Statutory Instrument
128 of 1971
50 of 1976
65 of 1993
Act No.
13 of 1994

PART I PRELIMINARYPART I

PRELIMINARY

1. These Regulations may be cited as the Dangerous Drugs Regulations. Title
2. In these Regulations, unless the context otherwise requires- Interpretation

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"authorised as a member of a group" means authorised by virtue of being a member of a class in respect of which the Permanent Secretary has granted an authority under and for the purpose of regulation 4, 5, 12 or 13 which is in force;

"group authority" means such an authority so granted, and "his group authority", in relation to a person who is a member of such a class, means the authority so granted to that class;

"authorised seller of poisons" means an authorised seller of poisons within the meaning of the Pharmacy and Poisons Ordinance; Cap. 299

"dental surgeon" means a person registered as a dental surgeon under the Medical and Allied Professions Act, 1965; Cap. 297

"generally authorised" in relation to any person, means authorised by, as the case may be, regulation 6, 11, 14, 16, 17 or 18 by virtue of being a member of a class specified in that regulation, or of being a person of a description so specified, and "general authority" means the authority possessed by a person as aforesaid;

"licensed" means duly licensed by a licence issued by the Permanent Secretary to the person named therein, or, as the case may be, in respect of premises named therein, under and for the purposes of regulation 4, 5, 7, 11, 12, 13, 15 or 30, and "licence" and "licensed premises" shall be construed accordingly;

"medical practitioner" means a person registered as a medical practitioner under the Medical and Allied Professions Act, 1965; Cap. 297

"midwife" means a person registered as a midwife under the Medical and Allied Professions Act 1965, or any written law amending or replacing that Act, which provides for registration of midwives; Cap. 297

"nurse" means a person registered as a nurse under the Medical and Allied Professions Act, 1965, or any written law amending or replacing that Act, which provides for registration of nurses; Cap. 297

"Permanent Secretary" means the Permanent Secretary responsible for the Department of the Government for the time being administering the Dangerous Drugs Act, 1967; Cap. 95

"pharmacist" means a person registered as a pharmacist under the Medical and Allied Professions Act, 1965; Cap. 297

"Pharmacy Act book" means either of the books required to be kept by subsection (2) of section *twenty-one* and subsection (3) of section *twenty-four* of the Pharmacy and Poisons Act. Cap. 299

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"prescription" means a prescription for a single individual given by a medical practitioner for the purposes of medical treatment, by a dental surgeon for the purposes of dental treatment, or by a veterinary surgeon for the purposes of animal treatment;

"register" means a bound book and does not include any form of loose leaf register or card index;

"registered premises" means premises registered in terms of the Pharmacy and Poisons Act; Cap. 299

"retail business" means the business of retailing, dispensing, or compounding drugs carried on at a shop;

"retail dealer" means a person who carries on a retail business;

"veterinary surgeon" means a person registered as a veterinary surgeon under the Veterinary Surgeons Act; Cap. 243

"wholesale dealer" means any person who carries on the business of selling drugs to persons who buy to sell again.

PART II CONTROL OF RAW OPIUM, ETC.PART II

CONTROL OF RAW OPIUM, ETC.

3. This Part of these Regulations shall apply to any drug, resin or preparation, other than poppy straw and extract or tincture of cannabis, to which Part I of the Act applies, and hereafter in this Part the expression "drug" means any such drug, resin or preparation as aforesaid. Application

4. (1) A person shall not supply, procure, offer to supply or procure, to or for any person, including himself, whether in Zambia or elsewhere, or advertise for sale a drug unless he is generally authorised, or, under this regulation, licensed or authorised as a member of a group so to do, nor otherwise than in accordance with the provisions of these Regulations, and, in the case of a person licensed or authorised as a member of a group, with the terms and conditions of his licence or group authority. Supply, procuring, and advertising, of drugs

(2) A person shall not supply, procure, or offer to supply or procure a drug to, or for, any person in Zambia unless that person is generally authorised, or, under regulation 5, licensed or authorised as a member of a group to be in possession of the drug and the drug is to be supplied or procured in accordance with the provisions of these Regulations, and, in the case of a person licensed or authorised as a member of a group, with the terms and conditions of his licence or group authority.

5. A person shall not be in possession of a drug unless he is generally so authorised or, under this regulation, so licensed or authorised as a member of a group, nor otherwise than in accordance with the provisions of these Regulations and, in the case of a person licensed or authorised as a member of a group with the terms and conditions of his licence or group authority. Possession of drugs

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6. (1) Subject to the provisions of these Regulations, a person who is a member of any of the following classes, that is to say-

General authority for certain classes of persons to possess and supply drugs

- (a) medical practitioners;
- (b) veterinary surgeons;
- (c) authorised sellers of poisons;
- (d) registered pharmacists employed or engaged at a hospital, clinic, dispensary, like institution administered by the Government, or by a local authority, in any other hospital, clinic, dispensary or like institution approved by the Minister, or in any Government medical store;
- (e) a person in charge of a laboratory used for the purpose of research or instruction and attached to-
 - (i) the University of Zambia or other educational institution approved by the Minister;
 - (ii) any hospital referred to in paragraph (d);
- (f) a Government analyst;
- (g) persons duly appointed inspectors under the Act

shall be authorised so far as may be necessary for the practice or exercise of his profession, function, or employment, and in his capacity as a member of his said class, to be in possession of, and to supply, drugs.

(2) Every drug in the actual custody of a person authorised by virtue of this regulation to be in possession thereof, shall, except when the necessities of the practice of the profession, function, or employment, by virtue of which that person is authorised as aforesaid, otherwise require, be kept in a locked receptacle which can be opened only by him or some other person authorised by virtue of this regulation to be in possession of the drug.

7. (1) No person who is not a person licensed under this regulation shall cultivate any plant from which a drug is derived.

Cultivation of plants

(2) No person licensed under this regulation shall cultivate any plant from which a drug is derived otherwise than in accordance with the terms and conditions of his licence.

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8. (1) Every owner or occupier of land shall clear or cause to be cleared from his land any plant from which a drug is derived, which is found to be growing wild or which is being cultivated in contravention of the provisions of these Regulations. Clearing of plants from land by owner or occupier

(2) The owner or occupier of land who has cleared or caused to be cleared from his land any plants from which a drug is derived shall destroy the plants so cleared by fire.

9. Every person generally authorised, licensed, or authorised as a member of a group, to supply any drugs shall comply with the following provisions, that is to say- Keeping of register

- (a) he shall, in accordance with the provisions of this regulation and regulation 32, keep a register and enter therein, in chronological sequence in the form specified in the Second Schedule to these Regulations, true particulars with respect to every quantity of any drug obtained by him, and with respect to every quantity of any drug supplied by him whether to persons within or to persons outside Zambia;
- (b) he shall use a separate register or separate part of the register with respect to each of the following classes of drugs, that is to say-
 - (i) raw opium;
 - (ii) coca leaves;
 - (iii) cannabis and cannabis resin and all preparations (other than extract or tincture of cannabis) of which cannabis resin forms the base.

PART III CONTROL OF SUBSTANCES SPECIFIED IN PART I OF THE SCHEDULE TO THE ACT PART III

CONTROL OF SUBSTANCES SPECIFIED IN PART I OF THE SCHEDULE TO THE ACT

10. (1) This Part of these Regulations shall apply to any substance for the time being specified in Part I of the Schedule to the Act. Application

(2) In the following provisions of this Part the expression "drug" means any substance to which this Part applies other than a preparation as defined for the purpose of this Part in sub-regulation (3).

(3) In this Part the expression "preparation" means any preparation, admixture, extract or other substance, containing any proportion of a substance to which this Part applies.

11. A person shall not manufacture, or carry on any process in the manufacture of, a drug- Manufacture of drugs

- (a) unless he is generally authorised, or licensed under this regulation, so to do:
Provided that no person shall be licensed under this regulation with respect to diamorphine;
- (b) except on premises on which he is permitted by his general authority so to do, or on premises licensed for the purpose under this regulation;
- (c) otherwise than in accordance with the provisions of these Regulations, and, in the case of a person licensed, with the terms and conditions of his licence.

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12. (1) A person shall not supply, procure, or offer to supply or procure, to or for any person, including himself, whether in Zambia or elsewhere, or advertise for sale a drug or preparation, unless he is generally authorised, or, under this regulation, licensed or authorised as a member of a group so to do, nor otherwise than in accordance with the provisions of these Regulations, and, in the case of a person licensed or authorised as a member of a group, with the terms and conditions of his license or group authority.

Supply, procuring, and advertising of drugs and preparations

(2) A person shall not supply, procure, or offer to supply or procure a drug or preparation to, or for, any person in Zambia, unless that person is generally authorised, or, under regulation 13, licensed or authorised as a member of a group to be in possession of the drug or preparation and the drug or preparation is to be supplied or procured in accordance with the provisions of these Regulations, and, in the case of a person licensed or authorised as a member of a group, with the terms and conditions of his licence or group authority:

Provided that for the purposes of this sub-regulation the administration of a drug or preparation-

- (a) by or under the direct supervision, and in the presence, of a medical practitioner;
- (b) by or under the direct personal supervision, and in the presence, of a dental surgeon;
- (c) by a nurse in charge of a ward, theatre, or outpatients department, in a hospital;
- (d) by a midwife under, and, in accordance with regulation 16;
- (e) by a person authorised as a member of a group to supply that drug or preparation acting under or in accordance with the terms and conditions of his group authority;

shall not be deemed to be the supplying of the drug or preparation.

13. (1) A person shall not be in possession of a drug or preparation, unless he is generally so authorised or, under this regulation, so licensed or authorised as a member of a group, nor otherwise than in accordance with the provisions of these Regulations and, in the case of a person licensed or authorised as a member of a group, with the terms and conditions of his licence or group authority.

Possession of drugs and preparations

(2) For the purposes of these Regulations-

- (a) a person to whom a drug or preparation is lawfully supplied by a medical practitioner or veterinary surgeon;
- (b) a person to whom a drug or preparation is lawfully supplied on a prescription given by a medical practitioner, a dental surgeon, or veterinary surgeon;

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- (c) a person to whom a drug or preparation is lawfully supplied by an authorised seller of poisons;

shall be deemed to be a person generally authorised to be in possession of the drug or preparation so supplied:

Provided that a person supplied with a drug or preparation by, or on a prescription given by, a medical practitioner shall be deemed not to be a person generally authorised to be in possession of the drug or preparation if-

- (i) he was then being supplied with a drug or preparation by, or on a prescription given by, another medical practitioner in the course of treatment, and did not disclose the fact to the first mentioned medical practitioner before obtaining the supply from that practitioner or on the said practitioner's prescription; or
- (ii) he or any other person on his behalf made a declaration or statement for the purpose of obtaining the supply or prescription, and the declaration or statement was false in any particular.

14. (1) Subject to the provisions of these Regulations, a person who is a member of any of the following classes, that is to say-

General authority for certain classes of persons to possess and supply drugs and preparations

- (a) medical practitioners;
- (b) dental surgeons;
- (c) veterinary surgeons;
- (d) pharmacists who are employed or engaged at a hospital, clinic, dispensary, or like institution, administered by the Government or by a local authority or in any other hospital, clinic, dispensary, or like institution approved by the Minister, or in any Government medical store;
- (e) a nurse in charge of a ward, theatre, or outpatients department, in a hospital;
- (f) a person in charge of a laboratory used for the purposes of research or instruction and attached to-
- (i) the University of Zambia or other educational institution, or such a hospital as aforesaid approved for the purposes of this regulation by the Minister; or
- (ii) any hospital referred to in paragraph (d);
- (g) Government analyst; or

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(h) persons appointed as inspectors under the Act; shall be authorised, so far as may be necessary for the practice or exercise of his said profession, function, or employment, and in his capacity as a member of his said class, to be in possession of, and to supply, drugs and preparations:

Provided that nothing in this sub-regulation shall-

- (i) authorise a dental surgeon to supply drugs or preparations unless the drugs or preparations are administered by him, or under his direct supervision and in his presence, to persons receiving treatment by him; or
- (ii) authorise a nurse in charge of a ward, theatre, or outpatients department, in a hospital-
 - A. to procure a drug or preparation, except from a person employed or engaged in dispensing medicines at the hospital or infirmary, and except upon a written order therefor signed by her; or
 - B. to supply a drug or preparation, except in accordance with the directions of a medical practitioner in charge of any patients in the ward, theatre or outpatients department, as the case may be.

(2) A written order, signed by a nurse to which paragraph A of proviso (ii) to sub-regulation (1) relates, shall be marked in such a way as to show that it has been fulfilled, by the person employed or engaged in dispensing medicines who fulfils that order, and be kept in the dispensary, and a copy of the order shall be kept by the nurse in charge of that hospital department, for which the drug or preparation to which the order relates was procured.

(3) The matron of any hospital referred to in paragraph (a) of sub-regulation (1), in which no pharmacist is employed or engaged in dispensing medicines, is authorised in her capacity as a matron and so far as is necessary for the purposes of that hospital and the exercise of her duties, to procure drugs and preparations on the order, in writing, of a medical practitioner employed or engaged in that hospital, and to be in possession of, and to supply, drugs and preparations so procured.

(4) Every drug or preparation in the actual custody of a person authorised by virtue of this regulation, or procure, administer, possess, or supply the said drug or preparation, shall, except when the necessities of the practice of the profession, function, or employment, by virtue of which that person is authorised as aforesaid, otherwise require, be kept in a locked receptacle which can be opened only by him or by some other person authorised by virtue of this regulation, to be in possession of that drug or preparation.

15. (1) The Permanent Secretary may at his discretion licence-

Special provisions in respect of certain public officers, etc.

- (a) any Government officer in charge of a station at which no Government medical officer is stationed, or from which a Government medical officer is for the time being absent;

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- (b) any Government officer who undertakes a journey on duty during which he will be more than twenty-four hours' distance from any Government station;
- (c) any person in charge of a mission station of a missionary society;
- (d) a police officer in charge of a police station; or
- (e) a first-aid worker in the employ of any mining company;

to procure, possess, and administer, drugs and preparations, subject to the provisions of sub-regulation (2) and such terms and conditions as the Permanent Secretary may fix.

(2) The following provisions shall apply to the supply to, and the possession, and administration by, a person licensed in terms of sub-regulation (1), that is to say-

- (a) on each occasion that he procures a drug or preparation, he shall, in addition to a signed order referred to in regulation 24, produce his licence to the supplier;
- (b) on each occasion that he procures a drug or preparation he shall enter in a drugs register to be kept by him and used solely for the purpose of this sub-regulation, the name and the amount of the drug or preparation, the form in which it is procured, the date, and the name and address of the supplier;
- (c) he shall, when he administers a drug or preparation, as soon as practicable thereafter, enter in his drugs register the name of the drug or preparation administered, the name and address of the person to whom it was administered, the amount administered, and the form in which it was administered.
- (d) he shall, except when a drug or preparation, is to be administered, kept every drug or preparation in his custody, in a locked receptacle which can be opened only by him or another licensed person; and
- (e) he shall not administer a drug or preparation procured in terms of this regulation otherwise than for strictly medical purposes.

16. (1) In this regulation, the expression "midwives' supply order" means an order in the form prescribed in the first Schedule to these Regulations, specifying the name of the midwife obtaining a supply of the drug or preparation, stating the fact that she is a midwife and giving the following particulars in regard to the drug or preparation to be procured, that is to say, its name, the purpose for which it is required and the total quantity to be procured, or, when the drug or preparation is packed in ampoules, either the said total quantity or the total quantity intended to be administered or injected.

Special provisions in respect of midwives

(2) A midwife is hereby authorised, so far as is necessary for the practice of her profession or employment as a midwife, to be in possession of tincture of opium and pethidine, which she has procured upon furnishing to the supplier thereof a midwives' supply order, and to administer those drugs or preparations.

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(3) An application for a midwives' supply order shall be made in writing to the Permanent Secretary.

(4) A midwives' supply order will be valid until the thirty-first day of December in the year it is issued.

(5) The following provisions shall apply to the supply to a midwife, and the possession and administration by a midwife, of drugs or preparations, that is to say-

- (a) on each occasion a midwife procures a drug or preparation she shall, in addition to a signed order referred to in regulation 24, produce her midwives' supply order;
- (b) the supplier shall note on the midwives' supply order the date on which the drugs or preparations are supplied, the name and quantity of the drugs or preparations supplied, and his name and address;
- (c) on each occasion a midwife procures a drug or preparation she shall enter in a drugs register, to be kept by her and used solely for the purpose of this regulation, the name and amount of the drug or preparation, the form in which it is procured, the date, and the name and address of the supplier;
- (d) a midwife shall, when she administers a drug or preparation or as soon as practicable thereafter, enter in the drugs register the name of the drug or preparation administered, the amount administered, and the form in which it is administered;
- (e) a midwife shall not in any one year procure a quantity of a drug or preparation greater than the total amount of that drug or preparation specified in her midwives' supply order; and
- (f) a midwife shall, except when the necessities of the practice of her profession or employment as a midwife otherwise require, keep every drug in her possession in a locked receptacle which can be opened only by her.

17. (1) In this regulation-

"aircraft" means any aircraft in which passengers are carried for hire or reward;

"Air Navigation Regulations" means the Air Navigation Regulations made under the Aviation Act or any Act amending or replacing the same;

"Director of Civil Aviation" has the meaning assigned to it in the Air Navigation Regulations;

"operator" means any person who is the owner or operator of any aircraft;

"passengers carried for hire or reward" has the meaning assigned to it in the Air Navigation Regulations.

Special provisions in
respect of operators of
aircraft
Cap. 444

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(2) Subject to the provisions of sub-regulation (8) all operator is authorised to procure and possess drugs and preparations, for the purposes of regulation 34 of the Air Navigation Regulations (which relates to first-aid equipment).

(3) The following provisions shall apply to the supply to, and the possession by, an operator, of drugs and preparations, that is to say-

- (a) an order referred to in regulation 24, for the supply of drugs and preparations, shall be made in duplicate on the official note paper of the operator, and shall be signed and dated by the operator or his authorised representative;
- (b) it shall be stated in the order whether the order is for the initial supply or for replacement of any drugs or preparations previously supplied in terms of this regulation and, if for replacement, the reason therefor;
- (c) the order shall be countersigned by the Director of Civil Aviation, who shall send the duplicate to the Permanent Secretary;
- (d) drugs and preparations shall be in single dose ampoule-syringe form or in the form of an ampoule with a sterile disposable syringe needle and an ampoule file, and shall be kept in a sealed container adequately labelled to indicate the method of use and the quantity and nature of the contents and kept in the first-aid kit of the aircraft;
- (e) the quantity of drugs and preparations carried in any aircraft shall not amount to more than the equivalent of 15 mg of morphine for each person who may lawfully be on board that aircraft at any one-time;
- (f) a responsible official appointed by the operator shall-
 - (i) satisfy himself at intervals not exceeding one month, that the drugs and preparations carried in each aircraft have not been removed from the first-aid kit for any unauthorised purpose;
 - (ii) inspect and check at intervals not exceeding six months, the drugs and preparations carried in each aircraft;
- (g) the operator shall keep a permanent record, at his principal place of business in Zambia, of the receipt, distribution, and disposal, of all drugs and preparations obtained in terms of this regulation;
- (h) drugs and preparations procured by an operator in terms of this regulation shall not be transferred, on the change of ownership of any of his aircraft, to another person without the permission of the Permanent Secretary.

(4) Any person who ceases to be an operator shall-

- (a) notify the Permanent Secretary of the fact; and

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- (b) dispose of the drugs and preparations in his possession in accordance with the directions of the Permanent Secretary.

(As amended by S.I. No. 50 of 1976)

18. (1) An authorised seller of poisons shall be authorised-

General authority for authorised sellers of poisons to manufacture preparations and to retail drugs and preparations.

- (a) in the ordinary course of his retail business, to manufacture at any premises registered under section *fifteen* of the Pharmacy and Poisons Act-

Cap. 299

- (i) any extract or tincture of cannabis; and
(ii) any preparation;

- (b) subject to the provisions of these Regulations, to carry on at any such premises the business of retailing, dispensing, and compounding, drugs and preparations; and

- (c) to supply drugs and preparations otherwise than by way of wholesale dealing:

Provided that nothing in this regulation shall be construed as authorising any such person to be in possession of any drug or preparation except on premises registered under the said section *fifteen*.

(2) Every drug or preparation, other than a preparation for the time being specified in Part I of the Schedule to the Act, in the actual custody of a person authorised by virtue of this regulation to be in possession thereof, shall be kept in a locked receptacle which can be opened only by him or by some assistant of his who is a registered pharmacist and is not a person whose authority has been withdrawn under regulation 29.

19. (1) In this regulation the expression "recognised preparation" means a preparation contained in the British Pharmacopoeia, the British Pharmaceutical Codex, or the British National Formulary a publication issued jointly by the British Medical Association and the Pharmaceutical Society of Great Britain and used, for the purposes of those Regulations, to serve the usual requirements of persons prescribing preparations whether in hospitals or in general practice.

Form of prescription

(2) The following provisions shall apply to prescriptions prescribing a drug or preparation, that is to say-

- (a) a prescription shall be in writing and shall be signed by the person giving it, with his usual signature, and dated by him;

- (b) a prescription shall be written in ink or otherwise so as to be indelible;

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- (c) a prescription shall specify the name and address of the person for whose treatment it is given or, if it is given by a veterinary surgeon, the name and address of the person to whom the drug or preparation prescribed is to be delivered;
- (d) a prescription shall have written thereon, if given by a dental surgeon, the words "for local dental treatment only" and, if given by a registered veterinary surgeon, the words "for animal treatment only";
- (e) if the preparation prescribed is a recognised preparation, or if all the preparations contained therein are recognised preparations, specify the total amount of the preparation or, as the case may be, of each preparation or, when the preparation is packed in ampoules, either specify as aforesaid or specify the total amount of the preparation or, as the case may be, of each preparation intended to be administered or injected;
- (f) if the preparation prescribed is not a recognised preparation, specify the total amount of the drug to be supplied or, when the preparation is packed in ampoules, either the said total amount or the total amount intended to be administered or injected; and
- (g) in the case of a cancellation, obliteration, or alteration in a prescription, each cancellation, obliteration, or alteration shall be signed by the person giving it with his usual signature.

(2) In the case of a prescription given for the treatment of a patient in a hospital, sub-regulation (1) shall be deemed to have been complied with if the prescription is written on a patient's bed-card or case-sheet, and in such a case the initials of the person giving the prescription shall be deemed to be a sufficient signature for the purposes of this regulation.

20. (1) A person shall not supply a drug or preparation on a prescription-

Provisions as to supply on prescription

- (a) unless the Prescription complies with the provisions of these Regulations relating to prescriptions;
- (b) unless, he either is acquainted with the signature of the person by whom it purports to be given and has no reason to suppose that it is not genuine, or has taken reasonably sufficient steps to satisfy himself that it is genuine;
- (c) before the date specified in the prescription.

(2) If a prescription prescribing a drug or preparation expressly states that it may, subject to the lapse of an interval or intervals specified by the prescriber in the prescription, be dispensed a second or third time, the drug or preparation thereby prescribed may, as the case may be, be supplied a second or third time after the specified interval or intervals but not more; but, subject as aforesaid, a prescription shall not for the purposes of these Regulations be taken as enabling the drug or preparation prescribed to be supplied more than once.

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(3) A person dispensing a prescription prescribing a drug or preparation shall, at the time of dispensing it, mark thereon the date on which it is dispensed and, in the case of a prescription which may be dispensed a second or third time, the date of each occasion on which it is dispensed, and shall retain and keep it on the premises where it is dispensed and so as to be at all times available for inspection.

(4) No person shall make or supply a copy of any prescription prescribing a drug or preparation, other than a copy of a prescription for submission to the Government or a medical aid society for the purpose of receiving payment for such a drug or preparation supplied thereon, unless he is requested to do so by the Permanent Secretary, an inspector, a police officer of the rank of Sub-Inspector or above, or any other police officer authorised in writing by a magistrate or by a police officer of the rank of Sub-Inspector or above, and such copy of a prescription shall be clearly and indelibly marked "Copy only. Not to be dispensed".

(5) Notwithstanding anything contained in these Regulations, where an authorised seller of poisons is reasonably satisfied that a person ordering any drug or preparation is a medical practitioner who is by reason of some emergency unable to furnish a prescription immediately, he may, notwithstanding that no prescription has been given, if the said person undertakes to furnish him, within seven days next following, with a prescription, deliver the drug or preparation ordered in accordance with the directions of the said person, so however, that notwithstanding anything in the said directions, the supply shall not be repeated unless a prescription has been given.

(6) If any person by whom an undertaking, referred to in sub-regulation (5) has been given, fails to deliver to the seller a prescription in accordance with the undertaking, or if any person, for the purpose of obtaining delivery of any drug or preparation under the provisions of this regulation, makes a statement which is to his knowledge false, he shall be deemed to have contravened the provisions of sub-regulation (5).

21. Any medical practitioner who considers it necessary, for the purpose of the treatment by him of any patient, to prescribe a drug or preparation for a period exceeding four months, shall report the case to the Permanent Secretary.

Report of cases to Permanent Secretary

22. (1) Save as otherwise provided in this regulation no medical practitioner shall supply or administer to, or prescribe for, any person, a drug or preparation merely for the purpose of addiction.

Treatment of drug addicts

(2) A medical practitioner who considers it necessary, for the purpose of the treatment or care of a patient who is a drug addict, that he should receive rational supplies of a drug or preparation, shall report the case to the Permanent Secretary.

(3) When a case is reported in terms of sub-regulation (2), the Permanent Secretary may at his discretion permit, in writing, a medical practitioner to supply, and additionally or alternatively administer, and additionally or alternatively prescribe, such quantities of the drug or preparation to which the patient is addicted as the Permanent Secretary may in the circumstances consider necessary.

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(4) No medical practitioner shall supply or prescribe, for the treatment of a drug addict, a drug or preparation in excess of the quantity permitted by the Permanent Secretary.

(5) No person generally authorised, licensed, or authorised as a member of a group to have in his possession a drug or preparation, shall use that drug or preparation by way of self-administration, otherwise than in accordance with these Regulations.

23. (1) Subject to the provisions of this regulation, no person shall-

Markings of packages and bottles

- (a) supply a drug unless the package or bottle in which it is contained is plainly marked with the amount of the drug contained therein; or
- (b) supply a preparation unless the package or bottle in which it is contained is plainly marked-
 - (i) in the case of a powder, solution, or ointment, with the total amount thereof in the package or bottle, and the percentage of the drug contained in the powder, solution, or ointment; or
 - (ii) in the case of cachets, single dose injections, lozenges, suppositories, pills, tablets, or other similar articles, with the amount of the drug in each article, and the number of articles in the package or bottle.

(2) Nothing in this regulation shall apply in a case where a drug or preparation is lawfully supplied in accordance with this Part, by, or on a prescription lawfully given by, a medical practitioner.

24. A person generally authorised, licensed, or authorised as a member of a group, shall not procure a drug or preparation unless he produces to the supplier an order in writing signed and dated by him, in which it is stated-

Production of order in writing to supplier

- (a) the name and address of the person by whom the drug or preparation is required, or the institution for which it is ordered;
- (b) the name and quantity of the drug or preparation required; and
- (c) the name and address and profession or qualification of the person signing the order.

25. (1) Every person generally authorised, licensed or authorised as a member of a group, to supply drugs or preparations, other than a preparation for the time being specified in Part I of the Schedule to the Act, except a nurse who is generally so authorised by virtue of regulation 14 (1) (e), shall comply with the following provisions, that is to say-

Keeping of register

- (a) he shall, in accordance with the provisions of this regulation and of regulation 32, keep a register and enter therein, in chronological sequence in the form specified in the Second Schedule to these Regulations, true particulars with respect to every quantity of any drug or preparation obtained by him, and with respect to every quantity of any drug or preparation supplied by him, whether to persons within or outside Zambia;

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- (b) he shall use a separate register or separate part of the register for entries made with respect to each of the substances for the time being specified in paragraph 1 of the Schedule to the Act, or in paragraphs 2, 3, 4, 5, 6, or 7 thereof; and for this purpose each substance shall be deemed to comprise its salts and any preparation, admixture, extract, or other substance containing any proportion of it or its salts, and any isomer of a substance the existence of which is possible within its specific chemical designation, shall be deemed to be identical with that substance.

(2) Notwithstanding the provisions of sub-regulation (1)-

- (a) a separate section within a register, or a separate part of a register, may be used with respect to different drugs, preparations, or strengths of preparations, comprised within the class of drugs or preparations to which that register or separate part of a register relates;
- (b) so much of sub-regulation (1) as requires a person to enter in the register required to be kept under that sub-regulation, particulars with respect to drugs or preparations supplied by him, shall not apply to a medical practitioner if he enters in a book in which he records patients' case histories, hereinafter called "the day book", true particulars of every drug or preparation supplied by him to any person, together with the name and address of that person, and the date of the supply, and enters in a separate book kept for the purposes of this regulation, a proper reference to each entry in the day book which relates to the supply of any drug or preparation, and if paragraphs (c) and (a) of this sub-regulation are complied with;
- (c) references in the said separate book shall be made in chronological sequence, and the book shall be kept in separate parts relating respectively to the several classes of drugs and preparations specified in, and under, paragraph (b) of sub-regulation (1), and shall not be used for any purpose other than the purposes of this sub-regulation;
- (d) the entries in the day book, and in the separate book, shall be made on the day on which, but for this sub-regulation, an entry would under regulation 32 have been required to be made in the said register, and paragraph (c) of regulation 32 shall apply as respects any such entry as aforesaid as if it were an entry in the register;
- (e) in this sub-regulation, the expression "a proper reference" means a reference which is entered in the said separate book under the same date as that on which the entry in the said day book or in the Pharmacy Act book was made, and is otherwise such as to enable that entry to be easily identified.

(3) Where a medical practitioner, dental surgeon or veterinary surgeon obtains, or supplies, any drug or preparation packed in ampoules he shall be deemed to have complied with the requirements-

- (a) of sub-regulation (1), in regard to entry in the register required to be kept under the said sub-regulation, of true particulars with respect to every quantity of every drug or preparation obtained or supplied; or

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- (b) in the case of a medical practitioner supplying drugs or preparations to any person, of sub-regulation (2), in regard to entry in the day book referred to in sub-regulation (2), of particulars of any drug or preparation supplied by him;

if he enters the amount which he has obtained or supplied, as the case may be, or true particulars as to either the total quantity of the drug or preparation, or the total quantity thereof intended to be administered or injected.

(4) Every separate book kept under sub-regulation (2), every day book in which any entry is made under sub-regulation (2), and every Pharmacy Act book containing an entry which is referred to in such a separate book as aforesaid, shall be kept on the premises to which the register or book relates and, in the case of a book referring to a prescription, shall be kept on the premises on which the prescription was dispensed so as to be at all times available for inspection.

(5) For the purposes of the preceding sub-regulations, a drug or preparation administered by, or under the direct supervision and in the presence of, a medical practitioner, or dental surgeon shall be deemed not to have been supplied by him.

(6) A manufacturer of any preparation for the time being specified in Part I of the Schedule to the Act, and a wholesale dealer in any such preparation, shall keep every invoice or other like record issued in respect of each quantity of any such preparation obtained by him, and in respect of each quantity of any such preparation supplied by him.

(7) A retail dealer in any preparation, for the time being specified in Part I of the Schedule to the Act, shall keep every invoice or other like record issued in respect of each quantity of any such preparation obtained by him.

(8) Notwithstanding the provisions of paragraph (a) of sub-regulation (1), an authorised seller of poisons may use drugs or preparations for the dispensing of medicines containing such amount of drugs and preparations as is sufficient to make the medicine a drug to which Part III of the Act applies, but only if the transaction and the date of the transaction are recorded in his register.

PART IV GENERALPART IV

GENERAL

26. In this Part of these Regulations, the expression "drug" means a drug to which Part II of these Regulations or a substance to which Part III of these Regulations applies. Definition of "drug"

27. For the purposes of these Regulations, a person shall be deemed to be in possession of a drug, if it is in his actual custody, or is held, by some other person subject to his control, for him or on his behalf. Definition of "possession"



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28. (1) Where a drug other than a substance specified in Part I of the Schedule to the Act, is to be lawfully supplied to any person (hereinafter in this regulation referred to as "the recipient"), otherwise than by, or on a prescription given by, a medical practitioner, the person supplying the drug (hereinafter in this regulation referred to as "the supplier") shall not deliver it to the person who purports to be sent by, or on behalf of the recipient, unless that person either-

Supply otherwise than on prescription

- (a) is generally authorised, licensed, or authorised as a member of a group, to be in possession of that drug; or
- (b) produces to the supplier a statement in writing signed by the recipient to the effect that he is empowered by the recipient to receive the drug in question on behalf of the recipient, and the supplier is reasonably satisfied that the document is a genuine document.

(2) A person to whom a drug is lawfully delivered in the circumstances mentioned in sub-regulation (1), shall be deemed to be a person authorised to be in possession thereof, but for such period only, as in the circumstances of the case, is reasonably sufficient to enable delivery to the recipient to be effected.

29. (1) Where any person generally authorised

Withdrawal of authority

- (a) is or has been convicted of an offence against the Act, or these Regulations, or of attempting to commit any such offence or of soliciting, inciting, aiding or abetting, any other person to commit any such offence;
- (b) is adjudged, certified, or otherwise lawfully proved to be mentally disordered or defective under any law relating to mental disorders;
- (c) is undergoing treatment as a temporary or voluntary patient in terms of any law referred to in paragraph (b) above; or
- (d) is proved, to the satisfaction of the Minister, to have become a drug addict;

the Minister may, if he is of the opinion that that person cannot properly be allowed to remain a person generally authorised, by notice in the *Gazette*, withdraw the authority of that person.

(2) Where the general authority of any person has been withdrawn under these Regulations, the Minister may at any time restore it, or may suspend the withdrawal and, while the withdrawal is so suspended, the person shall be a person generally authorised in the same manner as if the authority had never been withdrawn, so however, that the Minister may at any time cancel the suspension.

30. (1) If any drugs permitted under the law of any country outside Zambia to be exported therefrom to any destination outside Zambia, are brought into Zambia, no person shall cause or procure those drugs to be diverted to any other destination, unless he is licensed under this regulation by the Permanent Secretary and otherwise than in accordance with the terms and conditions of his licence.

Consignment between places outside Zambia

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(2) For the purposes of this regulation the destination to which any drugs are permitted to be exported shall be taken to be the destination stated in the permission for the export thereof from the country of export.

31. The Minister may revoke or amend, at any time, a licence or group authority given under these Regulations.

Revocation or amendment of licence of group authority

32. The following requirements shall be complied with by any person required to keep a register under, as the case may be, regulation 9 or 25, that is to say-

Requirements as to registers

- (a) the class of drugs to which the entries on any page of any such register as aforesaid, relate, shall be specified at the head of that page;
- (b) every entry required to be made, under the said regulations 9 and 25, in the register shall be made on the day on which the drug is received or, as the case may be, on which the transaction with respect to the supplying of the drug by the person required to make the entry takes place; but if that is not reasonably practicable, on the day next following the said day;
- (c) no cancellation, obliteration, or alteration of any entry shall be made, and every correction of an entry shall be made only by way of a marginal note or footnote which shall specify the date on which the correction is made;
- (d) every entry required to be made as aforesaid in every register, and every correction of an entry, shall be made in ink or otherwise so as to be indelible;
- (e) a register shall not be used for any purpose other than the purposes of these Regulations;
- (f) the person required, as aforesaid, to keep a register shall, on demand made by the Permanent Secretary or by any person empowered in writing by the Permanent Secretary in that behalf-
 - (i) furnish such particulars as may be required with respect to the obtaining or supplying by him of any drug, or with respect to any stock of drugs in his possession;
 - (ii) for the purpose of confirming any such particulars as aforesaid, produce any stock of drugs in his possession; and
 - (iii) produce the register and such other books or documents in his possession, relating to any dealings in drugs as may be required;
- (g) a separate register shall be kept in respect of each set of premises at which the person required to keep the register carries on business; but save as aforesaid not more than one register shall be kept at one time, in respect of each class of drug for which he is required to keep a separate register or part of a register, so however, that a separate register may, with the approval of the Permanent Secretary, be kept in respect of each department of the business carried on by him;
- (h) every such register shall be kept at the premises to which it relates, so as to be at all times available for inspection.

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33. (1) All registers, records, books, prescriptions, orders in writing, and other documents which are kept, issued, or made in pursuance of the requirements, or for the purposes of these Regulations, shall be preserved, in the case of a register, book, or other like record for a period of two years from the date on which the last entry therein is made, and in the case of any other document, for a period of two years from the date on which it is issued or made.

Preservation of documents

(2) In the case of any document kept in pursuance of sub-regulations (6) and (7) of regulation 25, the keeping of a copy thereof made at any time during the said period of two years, shall be treated for the purposes of sub-regulation (1) as if it were the keeping of the original document.

34. Nothing in these Regulations as respects the possession of a drug shall apply to-

Exception of police officers and carriers

- (a) a police officer acting in the course of his duty as such; or
- (b) a person carrying on the business of a carrier, or to any servant of such a person, acting in the course of that business.

35. For the purposes of these Regulations, a person shall not be treated as procuring or offering to procure a drug for any person by reason only that he, in the course of his business as agent for another, offers for transfer, or acts in the transfer of, a business and stock-in-trade therewith which comprises a drug.

Exemption of certain classes of agents

36. (1) Any person lawfully in possession of drugs shall, before ceasing to practice or exercise his profession, function, or employment, at any place-

Requirements in respect of cessation of practice, etc.

- (a) where he is being succeeded by a person generally authorised, authorised as a member of a group, or a licensed person-
 - (i) physically check with, and hand over to his successor all drugs in his possession;
 - (ii) submit to the Permanent Secretary a statement signed by himself and by his successor, certifying that the said drugs have been physically checked and handed over in accordance with sub-paragraph (i);
 - (iii) after handing over the drugs, rule off each page of the register on which an entry has been made, and both he and his successor shall, when satisfied that it is a true record of the drugs on hand, sign each page; and
 - (iv) if either person is not satisfied that any entry referred to in sub-paragraph (iii) is a true record, he shall refuse to sign the page and shall immediately inform the Permanent Secretary of the reason for his refusal;



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- (b) where he is not being succeeded by a person generally authorised, authorised as a member of a group, or a licensed person-
- (i) inform the Permanent Secretary of the arrangements he has made for the disposal of the drugs in his possession; and
 - (ii) immediately after disposing of the drugs in accordance with those arrangements or an Order made under sub-regulation (2), as the case may be, he shall notify the Permanent Secretary that he has done so and shall, at the same time, forward the register and the supporting prescriptions and written orders to the Permanent Secretary who shall retain them for a period of two years from the latest date of entry.

(2) Where the arrangements referred to in paragraph (b) of sub-regulation (1) have not been made or are not to the satisfaction of the Permanent Secretary, the drugs shall be disposed of in such manner as the Permanent Secretary shall order.

37. For the purposes of these Regulations, but subject in each case to the express terms of the regulation by which he is generally authorised or, as the case may be, to any limitation attached to his licence, or group authority-

Construction of licence or authority

- (a) a person generally authorised or licensed to manufacture a drug shall be deemed to be generally authorised or, as the case may be, licensed to supply that drug;
- (b) a person generally authorised, licensed, or authorised as a member of a group, to supply a drug, shall be deemed to be generally authorised or, as the case may be, licensed or authorised as a member of a group to be in possession of, to procure, to offer to supply or procure, and to advertise for sale, that drug.

38. (1) No person shall in the course of supplying a drug to a person in Zambia consign that drug, by road or rail, by a route which entails the carriage of that drug beyond the borders of Zambia, unless he is in possession of a movement licence issued by the Permanent Secretary for the purposes of this regulation.

Movement licence

(2) The holder of a movement licence shall-

- (a) in the case of a drug which is to be supplied in one package, place the duplicate of his movement licence inside the outer wrapper of that package; or
- (b) in the case of a drug which is to be supplied in more than one package-
 - (i) place the duplicate of his movement licence inside the outer wrapper of one package;
 - (ii) consecutively number on the outer wrapper all the packages in which the drug is contained; and
 - (iii) indicate on each package the number of the package in which the duplicate of his movement licence is to be found.

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39. Application for a licence under the Act or for a licence or permit under these Regulations shall be- Form of application for licence

- (a) made in such form as the Permanent Secretary may determine;
- (b) accompanied, if the application is for a licence to export any drug from Zambia, by the original copy of the certificate of the country of importation officially approving the import of that drug; and
- (c) accompanied by the appropriate fee, if any, prescribed in the Third Schedule.

40. (1) The Dangerous Drugs Regulations, 1956, are hereby revoked.

Revocation of F.G.N. No.
59 of 1956 and savings

(2) Nothing in sub-regulation (1) shall render invalid any licence, authority, certificate or order, issued, granted or given, or other -thing done, under the Dangerous Drugs Act, 1955, or the Regulations revoked by these Regulations, and any such licence, authority, certificate, order, or other thing which could have been issued, granted or given or other thing done, under any provision in these Regulations, and which is in force at the date when these Regulations come into operation, shall be deemed to have been issued, granted or given, or done, under that provision.

Cap. A.L. 28

(3) Any register, record, book, prescription, or other document, which is required to be kept under any regulation revoked by these Regulations, shall be kept in the same manner and for the same period, and every person shall be subject to the same requirements in regard thereto, as if these Regulations had not been made.



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FIRST SCHEDULE

THE DANGEROUS DRUGS REGULATIONS, 1971

(Regulation 16)

MIDWIVES' SUPPLY ORDER

I hereby certify that
of
is a practising midwife and is authorised in pursuance of sub-regulation (2) of regulation 16 of the Dangerous Drugs Regulations, to procure during the period of validity of this supply order and for the purpose of her profession, tincture of opium, and pethidine preparations not exceeding the quantities stated below.
.....
.....

This supply order shall remain valid until the 31st December of the year in which it is issued, and shall be returned to me immediately on becoming invalid.

Place *Signea*
Permanent Secretary

Date of Issue

MIDWIVES' SUPPLY ORDER

(To be printed on the reverse)

- (1) This supply order shall be produced to the person from whom the drugs are procured.
- (2) The supplier shall at the time the transaction takes place, note under the appropriate heading in this order the date on which the drugs are supplied, the name and quantity of the drugs supplied, and his name and registered address.



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PETHIDINE PREPARATIONS

| Date Supplied | Details of Preparation (Strength of Tablets, Ampoules, etc.) | Quality Supplied | Total Supplied to Date | |
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TINCTURE OF OPIUM

| Date Supplied | Quantity Supplied | Total Supplied to Date | |
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SECOND SCHEDULE

THE DANGEROUS DRUGS REGULATIONS, 1971

(Regulations 9, 25 and 32)

FORM OF REGISTER

Name of Drug or Preparation

| Margin for Notes | Date on which Acquired, Supplied or Used | Name and Address of Person from whom Acquired or to whom Supplied | Reference |
|------------------|---------------------------------------------|----------------------------------------------------------------------|-----------|
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THIRD SCHEDULE

THE DANGEROUS DRUGS REGULATIONS, 1971

(Regulation 39)

PRESCRIBED FEES

| | <i>Fee units</i> |
|---------------------------|------------------|
| Licence to import | 5 |
| Licence to export | 3 |

(As amended by Act No. 13 of 1994)

NOTICES MADE UNDER THE DANGEROUS DRUGS ACT-CHAPTER A.L. 28 OF THE 1965 EDITION OF THE APPLIED LAWS

(Section 15 of the Interpretation and General Provisions Act)

- Federal Government Notices*
- 57 of 1956
- 226 of 1956
- 4 of 1959
- 96 of 1960
- 144 of 1961
- 222 of 1961
- 249 of 1963
- 251 of 1963
- Government Notices*
- 360 of 1963
- 497 of 1964
- 507 of 1964
- Statutory Instruments*
- 220 of 1966
- 221 of 1966

THE DANGEROUS DRUGS (PART III) (APPLICATION) NOTICE

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| <p>1. This Notice may be cited as the Dangerous Drugs (Part III) (Application) Notice.</p> <p>2. In pursuance of subsection (2) of section <i>ten</i> of the Act, Part III of the Act is hereby applied to the drugs and products specified in the First Schedule in the same manner as it applies to drugs specified in the Schedule to the Act.</p> <p>3. In pursuance of section <i>fourteen</i> of the Act, Part III of the Act is hereby applied to the drugs and products specified in the Second Schedule without any modification.</p> | <p>Title</p> <p>Application in pursuance of section 10 (2) of Act</p> <p>Application in pursuance of section 14 of Act</p> |
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4. In pursuance of subsection (3) of section *ten* and section *fourteen* of the Act, Part III of the Act is hereby applied to the drugs and products and their preparations specified in the Third Schedule, with the modifications that-

Application in pursuance of section 10 (3) and 14 of Act

- (a) those drugs and products and their preparations shall not be treated as drugs to which Part III of the Act applies for the purposes of Part III of the Dangerous Drugs Regulations;
- (b) the provisions of section *eleven* of the Act shall not apply to the import into or the export from Zambia of Syrup of Codeine Phosphate B.P.C. 1954 or to any preparation containing not more than 2.5 per centum of methyldorphine, ethylmorphine or morpholinyl-ethylmorphine calculated as a pure drug, associated with other medicinal substances.

(As amended by G.N. No. 360 of 1963)

FIRST SCHEDULE



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(Paragraph 2)

1. The following substances and their salts, and any preparation, admixture, extract or other substance containing any proportion of any of the substance or salts;
 - Allylprodine (3-allyl-1-methyl-4-phenyl-4-propionyloxypiperidine);
 - Alphameprodine;
 - Anileridine (1-[2-(p-aminophenyl)-ethyl]-4-phenylpiperidine-4-carboxylic acid ethyl ester);
 - Benzethidine (ethyl-1-(2-benzyloxyethyl)-4-phenylpiperidine-4-carboxylate);
 - Clonitazene (2-p-chlorobenzyl-1-1-(2-diethylaminoethyl)-5-nitrobenzimidazole);
 - Dextromoramide, levomoramide and racemoramide 1-(3-methyl-4-morpholine-2:2-diphenylbutyl)-pyrrolidine;
 - Dimenoxadole (2-dimethylaminoethyl)-2-ethoxy-2:2-diphenylacetate);
 - Diphenoxylate (ethyl 1-(3-cyano-3:3-diphenylpropyl)-4-phenylpiperidine-4-carboxylate);
 - Etonitazene (1-(2-diethylaminoethyl)-2-p-ethoxybenzyl-5-pitrobenzimidazole);
 - Etixeridine (1-[2-(2-hydroxyethoxy)-ethyl]-4-phenylpiperidine-4-carboxylic acid ethyl ester);
 - Fenanyl;
 - Furethidine (ethyl-1(2-tetrahydrofurfuryloxyethyl)-4-phenylpiperidine-4- carboxylate);
 - Hydromorphanol (14-hydroxydihydromorphine);
 - Levophenacymorphan ((-)-3-hydroxy-N-phenacymorphinan);
 - Metazocine (2-hydroxy-2:5:9-trimethyl-6:7-benzomorphan);
 - 1-Methyl-4-phenylpiperidine-4-carboxylic acid;
 - Morpheridine (1-(2-morpholinoethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester);
 - Myreophine (myristyl ester of benzylmorphine);
 - Noracymethadol (ce-dl-3 acetoxyl-6 methylamino-4:4-diphonylheptane);
 - N-[2-(N-methylphenethylamino) propyl] propionanilide;
 - Norcodeine;
 - Norlevorphanol ((-)-3-hydroxymorphinan);
 - Normorphine;
 - Norpipanone;
 - Oxymorphone (dihydro-14-hydroxymorphinone);
 - Phenampramide (N-(1-methyl-2-piperidinoethyl) propionanilide);
 - Phenazocine (21-hydroxy-5:9-dimethyl-2-(2-phenylethyl)-6:7-benzomorphan);
 - Phenoperidine (ethyl 1(3-hydroxy-3-phenylpropyl)-4-phenylpiperidine-4-carboxylate);
 - Piminodine (ethyl 1-(3-anilinopropyl)-4-phenylpiperidine-4-carboxylate);
 - Trimeperidine (1:2:5-trimethyl-4-phenyl-4-propionyloxypiperidine).
2. The esters of 1-methyl-4-phenylpiperidine-4-carboxylic acid (other than pethidine) and their salts, and any preparation, admixture, extract or other substance containing any proportion of the esters of 1-methyl-4-phenylpiperidine-4-carboxylic acid (other than pethidine) or their salts.
3. 4,4-Diphenyl-6-dimethylamino-3-hexanone and its salts, and any preparation, admixture, extract or other substance containing any proportion of 4,4-diphenyl-6-dimethylamino-3-hexanone or its salts.
4. 4,4-Diphenyl-8-piperidino-3-heptanone and its salts, and any admixture, extract or other substance containing any proportion of 4,4-diphenyl-8-piperidine-3-heptanone or its salts.
5. beta-Methadol and its salts, and any preparation, admixture, extract or other substance containing any proportion of beta-methadol and its salts.
6. 3-Diethylamino-1, 1-di-(2'-thienyl)-1-butane (diethylthiambutene) and its salts, and any preparation, admixture, extract or other substance containing any proportion of 3-diethylamino-1,1-di-(2'-thienyl)-1-butene or its salts.
7. 1,3-Dimethyl-4-phenyl-4-propionyloxyhexamethyleneimine, its salts and any preparation, admixture, extract or other substance containing any proportion of 1,3-dimethyl-4-phenyl-4-propionyloxyhexamethyleneimine.
8. 3-Hydroxy-N-phenethylmorphinan, its salts and any preparation, admixture, extract or other substance containing any proportion of 3-hydroxy-N-phenethylmorphinan.
9. 4-Morpholino-2:2-diphenyl ethyl butyrate, its salts and any preparation, admixture, extract or other substance containing any proportion of 1-morpholino-2:2-diphenyl ethyl butyrate.
10. 1-(3-cyano-3, 3-diphenyl)propyl)-4-(1-piperidino) piperidine-4-carboxylic acid amide and its salts, and any preparation, admixture, extract or other substance containing any proportion of 1-(3-cyano-3, 3-diphenylpropyl)-4-(1-piperidino) piperidine-4-carboxylic acid amide.

(As amended by F.G.N. No. 226 of 1956, F.G.N. No. 4 of 1959, F.G.N. No. 96 of 1960, F.G.N. Nos. 144 and 222 of 1961, F.G.N. No. 219 of 1963, G.N. No. 507 of 1964 and S.I. No. 220 of 1966)

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SECOND SCHEDULE

(Paragraph 3)

1. Methyldesomorphine (6-methyl-Delta 6-desoxymorphine) and its salts, and any preparation, admixture, extract or other substance containing any proportion of methyldesomorphine or its salts.
2. Dihydrodesoxymorphine and its salts, and any preparation, admixture, extract or other substance containing any proportion of dihydrodesoxymorphine or its salts.
3. 6-Methyldihydromorphine and its salts, and any preparation, admixture, extract or other substance containing any proportion of 6-methyl-dihydromorphine or its salts.
4. Methyldihydromorphinone and its salts, and any preparation, admixture, extract or other substance containing any proportion of methyl-dihydromorphinone or its salts.

*(1)THIRD SCHEDULE

*The drugs and products specified in the Third Schedule are the drugs and products defined as "partially controlled drugs" for the purposes of the Dangerous Drugs Regulations.

(Paragraph 4)

1. Acetyldihydrocodeine;
 2. Dihydrocodeine;
 3. Ethylmorphine;
 4. Methylmorphine (commonly known as codeine);
 5. Merpholinylethylmorphine;
 6. Nicoeodine;
- and their salts.

(As amended by F.G.N. No. 144 of 1961, F.G.N. No. 251 of 1963 and S.I. No. 221 of 1966)

*The drugs and products specified in the Third Schedule are the drugs and products defined as "partially controlled drugs" for the purposes of the Dangerous Drugs Regulations.

THE DANGEROUS DRUGS (SECTION 10) (EXEMPTION) NOTICE

*Federal Government
Notices
58 of 1956
223 of 1961
Statutory Instrument
221 of 1966*

1. This Notice may be cited as the Dangerous Drugs (Section 10) (Exemption) Notice. Title
(As amended by F.G.N. No. 223 of 1961)

2. The provisions of Part III of the Act shall not apply to the preparations specified in the First Schedule. Application

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3. The provisions of Part III of the Act shall, as from the 30th June, 1961, cease to apply to the preparations specified in the Second Schedule. Cessation of application

4. The provisions of Part III of the Act shall, as from the 4th June, 1966, cease to apply to the preparations specified in the Third Schedule. Cessation of application

FIRST SCHEDULE



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(Paragraph 2)

A.-MORFINE PREPARATIONS:

| Substance | Formula |
|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Cercoli iodoformi et morphinae | Iodoform 0.320 gramme Morphine hydrochloride 0.016 gramme Oil of theobroma, sufficient to fill a 1-gramme mould, |
| 2. Emplastrum opii | Elemi 20 grammes Terebinthina 30 grammes Cera flora 15 grammes Olibanum pulvis 18 grammes Benzoës pulvis 10 grammes Opium pulvis 5 grammes Balsamum peruvianum 2 grammes |
| 3. Emplastrum opii | Extract of opium 25 grammes Refined clemi 25 grammes Diachylon plaster with gum 50 grammes |
| 4. Emplastrum opii | Elemi 8 grammes Terebinthinae communis 15 grammes Ceroe florae 5 grammes Olibani pulvertae 8 grammes Benzoës pulvertae 4 grammes Opium pulverati 2 grammes Balsami peruviani 1 grammes |
| 5. Emplastrum opii | Opium, in very fine powder 10 grammes Resin plaster 90 grammes |
| 6. Eplastrum opii (see formula under 5) mixed with other plasters contained in the British Pharmacopoeia or British Pharmaceutical Codex. | |
| 7. Linimentum opii | Tincture of opium 500 millilitres Liniment of soap 500 millilitres |
| 8. Linimentum opii (see formula under 7) mixed with any other liniment of the British Pharmacopoeia or of the British Pharmaceutical Codex. | |
| 9. Linimentum opii ammoniatum | Ammoniated liniment of camphor 30 Tincture of opium 30 Liniment of belladonna 5 Strong solution of ammonia 5 Liniment of soap to.. . . . 100 |
| Substance | Formula |
| 10. Linimentum opii ammoniatum (see formula under 9) mixed with any other British Pharmacopoeia or British Pharmaceutical Codex liniment. | |
| 11. Caustic "Nerve Pastes" | Preparations containing, in addition to morphine salts, or morphine and cocaine salts, at least 25 per centum of arsenious acid, and made up with the requisite proportion of creosote or phenol to produce the consistency of a paste. |
| 12. Diarrhoea pills | Camphor 0.0648 gramme Lead acetate 0.013 gramme Bismuth subnitrate 0.162 gramme Tannic acid 0.0648 gramme Opium powder 0.026 gramme |
| 13. Pilulac digitals et Opii compositae | Digitalis leaves, in powder 0.31 gramme Opium, in powder 0.19 gramme Ipecacuanha root, in powder 0.13 gramme Quinine sulphate 0.78 gramme Syrup of glucose, a sufficient quantity to make 12 pills. |
| 14. Pilulae hydrargyri cum Opii | Mercury pill 3.89 gramme Opium, in powder 0.19 gramme To make 12 pills. |
| 15. Pilulac hydrargyri cum Creta et Opii | Mercury with chalk 0.78 gramme Compound powder of *(2)ipecacnanha* 0.78 gramme |

*The formula of this powder is given under 21.

Milk sugar, a sufficient quantity

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SECOND SCHEDULE

(Paragraph 3)

1. Tablets each weighing 0.8 grammes and containing 2.5 milligrammes of diphenoxylate hydrochloride and 0.025 milligrammes of atropine sulphate.

2. Preparations containing 2.5 milligrammes of diphenoxylate hydrochloride, 0.025 milligrammes of atropine sulphate, 85 milligrammes of lactose, 7 milligrammes of sugar, 21.6 milligrammes of starch, 3 milligrammes of talc, 1 milligramme of magnesium stearate and 0.7 milligrammes of tartrazine.

(F.G.N. No. 223 of 1961)

THIRD SCHEDULE

(Paragraph 4)

4-Dimethylamino-1; 2-diphenyl-3-methyl-2-propionyloxybutane, its salts and any preparation, admixture, extract or other substance containing any proportion of 4-dimethylamino-1; 2-diphenyl-3-methyl-2-propionyloxybutane.

(S.I. No. 221 of 1966)

THE DANGEROUS DRUGS (SECTION 13) (EXEMPTION) NOTICE

Federal Government
Notices

3 of 1959

97 of 1960

224 of 1961

252 of 1963

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 1. This Notice may be cited as the Dangerous Drugs (Section 13) (Exemption) Notice. | Title |
| 2. The provisions of section <i>thirteen</i> of the Act shall cease to apply to the products specified in the Schedule, being products obtained from morphine, one of the phenanthrene alkaloids of opium. | Cessation of application |

SCHEDULE

(Paragraph 2)

EXEMPTED PRODUCTS

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1. Methyldesomorphine.
2. Dihydrodesoxymorphine.
3. 6-Methyldihydromorphine.
4. Methyldihydromorphinone.
5. Nallylnormorphine.
6. Diacetyl-N-allylnormorphine.
7. Myrophine (myristyl ester of benzylmorphine).
8. Oxymorphone (dihydro-14-hydroxymorphinone).
9. Hydromorphinol (14-hydroxydihydromorphine).
10. Nicocodine.
11. Norcodeine.
12. Normorphine.

(As amended by F.G.N. No. 97 of 1960, F.G.N. No. 224 of 1961
and F.G.N. No. 252 of 1963)

SECTION 14-THE DANGEROUS DRUGS (MODIFICATION OF SCHEDULE) ORDER.

Statutory Instruments
144 of 1985

Order by the Minister

1. This Order may be cited as the Dangerous Drugs (Modification of Schedule) Order, and shall be read as one with the Schedule to the Act, hereinafter referred to as the principal Schedule. Title
Cap. 95 p. 12
2. The principal Schedule is amended in Part I by the insertion in the appropriate places in paragraph 1 of the following new substances: Amendment of Schedule

3-(1, 2-dimethylheptyl-1)-

hydroxy-7, 8, 9, 10-tetrahydro-

6, 6, 9-trimethyl-6H-dibenzo

(b, d) pyran

Amphetamine

Dexamphetamine

Eticyclidine

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(+)-Lysorgide

Mecloqualone

Methamphetamine

Methaqualone

Methylphenidate

N, N-diethyltryptamine

N, N-dimethyltryptamine

Phencyclidine

Phenmetrazine

Psilocybine

Rolicyclidine

Tenocyclidine

(As amended by S.I. No. 144 of 1985)

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CHAPTER 298 THE FLYING DOCTOR SERVICE ACT CHAPTER 298

THE FLYING DOCTOR SERVICE ACT

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Objects of the Service
4. Establishment of Board
5. Membership of Board
- 5A. Director of the Service
6. Proceedings of Board
7. Powers of Board
- 7A. Directions of the Minister
8. Accounts and audit
9. *Repealed by Act No. 25 of 1975*

- 9A. Regulations
10. Transitional

CHAPTER 298

37 of 1967

18 of 1972

FLYING DOCTOR SERVICE

25 of 1975

An Act to provide for the establishment, management and development of the Flying Doctor Service and matters incidental to or connected therewith.

[7th September, 1967]

1. This Act may be cited as the Flying Doctor Service Act. Short title

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

"Board" means the Flying Doctor Service Board established by section *four*;

"the Service" means the Flying Doctor Service established by section *three*.

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3. There shall be a service known as the Flying Doctor Service, the objects of which shall be to combat disease among and to promote the health and material well-being of the inhabitants of the rural areas of Zambia. Objects of the Service

4. For the purpose of carrying out the objects of the Service, there shall be a board known as the Flying Doctor Service Board which shall be a body corporate having perpetual succession and a common seal and capable of suing and being sued and, subject to this Act, of performing all such acts as bodies corporate may perform. Establishment of Board

5. (1) The Board shall consist of not more than nine members appointed by the Minister, one of whom shall be appointed by the Minister to be chairman. Membership of Board

(2) A member of the Board appointed under subsection (1) shall, subject to the provisions of this section, hold office for such period as may be specified by the Minister at the time of his appointment or, if no period is so specified, for a period of three years from the date of his appointment.

(3) The Minister may at any time revoke an appointment made under subsection (1) and any member of the Board so appointed may at any time resign by notice in writing to the Minister.

(4) A member of the Board shall be eligible for reappointment.

5A. (1) The Minister may appoint a person to be the Director of the Service on such terms and conditions as the Minister may specify in the letter of his appointment. Director of the Service

(2) The Director of the Service shall perform such functions and discharge such duties as may be assigned to him by the regulations or, subject to the regulations, by an order of the Minister or a resolution of the Board.

(No. 18 of 1972)

6. (1) The quorum at any meeting of the Board shall be half the total number of members of the Board or, where there is an uneven number of members, shall be the next whole number above half. Proceedings of Board

(2) All decisions of the Board, unless made under powers delegated by the Board, shall be by resolution at a meeting of the Board at which a quorum is present.

(3) Subject to the provisions of this section and of Part V of the Interpretation and General Provisions Act, the Board may regulate its own procedure. Cap. 2

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7. (1) For the purpose of carrying out the objects of the Service and subject to the provisions of this Act, the Board shall have power- Powers of Board

- (a) to acquire, hold, manage, apply and dispose of real and personal property;
- (b) to maintain and operate aircraft and such ancillary services as may be necessary for the safe and efficient operation of aircraft in rural areas, including the provision and operation of radio equipment and airstrips;
- (c) to set up and operate clinics;
- (d) to conduct research;
- (e) to employ staff on such terms and conditions of service as it thinks fit and to take steps as may be necessary to implement those conditions of service;
- (f) to constitute committees, to include as members of such committees persons who are not members of the Board, and to regulate the proceedings of such committees;
- (g) to delegate to any committee or any member of the staff of the Board all or any of the powers of the Board other than the power to acquire, hold, or dispose of real property; and
- (h) to do all such other things as appear to it necessary, desirable or expedient.

(2) The Board may receive moneys from any source and may apply such moneys-

- (a) to defray expenses incurred in carrying out its objects; and
- (b) to reimburse such members of the Board as are not public servants in respect of reasonable expenses incurred by them in attending meetings of the Board:

Provided that the Board shall not borrow any money save with the previous consent of the Minister responsible for finance given in writing.

(As amended by No. 18 of 1972)

7A. In the exercise of its powers and performance of its functions under this Act, the Board shall comply with the directions which the Minister may from time to time give either generally or with respect to any particular matter or case. Directions of the Minister

(No. 18 of 1972)

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8. (1) The financial year of the Board shall be the period of twelve months ending on the 31st December in each year. Accounts and audit

(2) The Board shall cause proper accounts to be kept of its income and expenditure for each financial year.

(3) The Board shall cause its accounts to be audited annually by auditors who shall be approved by the Minister and shall have access to all books and other records relating to the Board's accounts.

(4) Not later than six months after the end of each financial year the Board shall submit to the Minister its audited accounts for that financial year together with the auditors' report thereon and the Minister shall, not later than seven days after the first sitting of the National Assembly next after the receipt thereof, lay those accounts and the auditors' report before the National Assembly.

9. Repealed by *Act No. 25 of 1975*.

Regulations

9A. The Minister may, by statutory instrument, make regulations for the better carrying into effect of the provisions of this Act.

(*No. 18 of 1972*)

10. For the purpose of establishing the Service, the Board may enter into any transaction to acquire any rights, real or personal property, or other assets from any person and by such transaction may assume legal responsibility for liabilities and obligations incurred by that person in connection with such rights, real and personal property or other assets or the use thereof.

Transitional

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CHAPTER 303 THE FOOD AND DRUGS ACTCHAPTER 303

THE FOOD AND DRUGS ACT

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title
2. Interpretation

PART II

GENERAL PROVISIONS



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A. Food

3. Prohibition against sale of poisonous, unwholesome or adulterated food
4. Deception
5. Standards of foods
6. Prohibition against sale of food not of the nature, substance or quality demanded
7. Sale and preparation of food under insanitary conditions

B. Drugs

8. Prohibited sale of drugs
9. Deception
10. Standards of drugs
11. Prohibition against sale of drugs not of the nature, substance or quality demanded
12. Sale and preparation of drugs under insanitary conditions

C. Cosmetics

13. Prohibited sale of cosmetics
14. Standards of cosmetics
15. Sale and preparation of cosmetics under insanitary conditions

D. Devices

16. Prohibited sale of devices
 17. Deception
- Section
18. Standards of devices
 19. Sale and preparation of devices under insanitary conditions

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IMPORTATION AND WARRANTY

20. Importation
21. Warranty

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23. Regulations
24. Powers of authorised officers
25. Appointment and duties of public analyst
26. Power of Director of Medical Services
27. Duty of local authority to enforce Act
28. Power of Minister to obtain particulars of certain food or drug ingredients

PART V

LEGAL PROCEEDINGS

29. Power of court to order licence to be cancelled and articles to be disposed of
30. Prosecution
31. Penalties
32. Certificates of analysis and presumptions
33. Saving of other written laws
34. Minister's power to amend Schedule

SCHEDULE-Publications

CHAPTER 303

FOOD AND DRUGS

22 of 1972
13 of 1994

An Act to protect the public against health hazards and fraud in the sale and use of food, drugs, cosmetics and medical devices; and to provide for matters incidental thereto or connected therewith.

[1st December, 1972]

PART I

PRELIMINARY

1. This Act may be cited as the Food and Drugs Act. Short title
2. In this Act, unless the context otherwise requires- Interpretation

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"advertisement" includes any representation by any means whatsoever for the purpose of promoting directly or indirectly the sale or disposal of any food, drug, cosmetic or device;

"article" includes-

- (a) any food, drug, cosmetic or device and any labelling or advertising materials in respect thereof; or
- (b) anything used for the preparation, preservation, packing or storing of any food, drug, cosmetic or device;

"authorised officer" means a Medical Officer of Health, a Health Inspector, or any suitably qualified person authorised in writing by the Minister or by a local authority with the approval of the Minister for the purposes of this Act, and-

- (a) for the purpose of taking of samples under sections *twenty-four* and *twenty-six* and sending them to a public analyst, and for receiving reports thereof under section *twenty-five*, includes a police officer of or above the rank of Assistant Inspector and an officer of the Department of Customs and Excise authorised in that behalf by the Controller of Customs and Excise;
- (b) for the purpose of exercising control in respect of drugs, cosmetics or devices, includes an inspector as defined in the Dangerous Drugs Act; and Cap. 302
- (c) for the purpose of any proceedings under section *thirty*, includes the principal officer as defined in the Local Government Act; Cap. 281

"Board" means the Food and Drugs Board established by section *twenty-two*;

"cosmetic" includes any substance or mixture of substances manufactured, sold or represented for use in cleansing, improving or altering the complexion, skin, hair, eyes, teeth or nails, and includes deodorants and perfumes;

"device" means any instrument, apparatus or contrivance, including components, parts and accessories thereof, manufactured, sold or represented for use in the diagnosis, treatment, mitigation or prevention of a disease, disorder or abnormal physical state, or the symptoms thereof, in man or animal;

"drug" includes-

- (a) any substance included in any publication mentioned in the Schedule; and

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- (b) any substance or mixture of substances prepared, sold or represented for use in-
- (i) the diagnosis, treatment, mitigation or prevention of a disease, disorder or abnormal physical state, or the symptoms thereof, in man or animal; or
- (ii) restoring, correcting or modifying organic functions in man or animal;

"food" includes any article manufactured, sold or represented for use as food or drink for human consumption, chewing gum, and any ingredient of such food, drink or chewing gum;

"Health Inspector" has the meaning assigned to it in the Public Health Act;

Cap. 295

"insanitary conditions" means such conditions or circumstances as might cause contamination of a food, a drug or a cosmetic with dirt or filth or might render the same injurious or dangerous to health;

"label" includes any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to or included in, belonging to, or accompanying any food, drug, cosmetic or device;

"local authority" means-

- (a) a municipal council; or
- (b) a township council; or
- (c) a rural council; or

"Medical Officer of Health" has the meaning assigned to it in the Public Health Act;

Cap. 295

"municipal council", "District Council" and "township council" have the meanings assigned respectively thereto in section *two* of the Local Government Act;

Cap. 281

"package" includes anything in which any food, drug, cosmetic or device is wholly or partly placed or packed, and includes any basket, pail, tray or receptacle of any kind, whether open or closed;

"premises" includes-

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- (a) any building or tent or other structures, permanent or otherwise, together with the land on which the same is situated and any adjoining land used in connection therewith, and includes any vehicle, conveyance or vessel; and
- (b) for the purpose of section *twenty-four*, a reference to premises shall be deemed to include reference to any street, open space or place of public resort, bicycle or other vehicle used for the preparation, preservation, packaging, storage or conveyance of any article;

"preparation" includes manufacture and any form of treatment, and "prepare" shall be construed accordingly;

"public analyst" means a person appointed by the Minister, or by a local authority with the approval of the Minister, to act as an analyst for the purposes of this Act;

"sell" includes offer, advertise, keep, expose, transmit, convey, deliver or prepare for sale or exchange, dispose of for any consideration whatsoever, or transmit, convey or deliver in pursuance of a sale, exchange or disposal as aforesaid;

"ship" includes any boat or craft;

"subordinate court" means a subordinate court constituted under the Subordinate Courts Act; Cap. 28

"substance" includes liquid and gas.

PART II

GENERAL PROVISIONS

A. Food

3. Any person who sells any food that-

- (a) has in or upon it any poisonous or harmful substance; or
- (b) consists in whole or in part of any filthy, putrid, rotten, decomposed or diseased substance or foreign matter, or is otherwise unfit for human consumption; or
- (c) is adulterated;

shall be guilty of an offence.

Prohibition against sale of
poisonous, unwholesome
or adulterated food

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4. Any person who labels, packages, treats, processes, sells or advertises any food in a manner that is false, misleading or deceptive as regards its character, nature, value, substance, quality, composition, merit or safety, or in contravention of any regulations made under this Act, shall be guilty of an offence. Deception

5. Where a standard has been prescribed for any food, any person who labels, packages, sells or advertises any food which does not comply with that standard, in such a manner that it is likely to be mistaken for food of the prescribed standard, shall be guilty of an offence. Standards of foods

6. Any person who sells to the prejudice of the purchaser any food which is not of the nature, or is not of the substance, or is not of the quality, of the article demanded by the purchaser, shall be guilty of an offence. Prohibition against sale of food not of the nature, substance or quality demanded

7. Any person who sells, prepares, packages or stores for sale any food under insanitary conditions shall be guilty of an offence. Sale and preparation of food under insanitary conditions

B. Drugs

8. Any person who sells any drug that-
(a) is adulterated; or
(b) consists in whole or in part of any filthy, putrid, rotten, decomposed or diseased substance or foreign matter;
shall be guilty of an offence. Prohibited sale of drugs

9. Any person who labels, packages, treats, processes, sells or advertises any drug in a manner that is false, misleading or deceptive as regards its character, constitution, value, potency, quality, composition, merit or safety, or in contravention of any regulations made under this Act, shall be guilty of an offence. Deception

10. (1) Where a standard has been prescribed for a drug, any person who labels, packages, sells or advertises any substance in such a manner that it is likely to be mistaken for that drug shall be guilty of an offence unless the substance is the drug in question and complies with the prescribed standard. Standards of drugs

(2) Where a standard has not been prescribed for a drug but a standard for the drug is contained in any of the publications specified in the Schedule, any person who labels, packages, sells or advertises any other substance or article in such manner that it is likely to be mistaken for such drug shall be guilty of an offence.

(3) Any person who labels, packages, sells or advertises any drug for which no standard has been prescribed or for which no standard is contained in any of the publications specified in the Schedule, shall be guilty of an offence unless such drug-

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- (a) is in accordance with the professed standard under which it is labelled, packaged, sold or advertised; and
- (b) does not resemble, in a manner likely to deceive, any drug for which a standard has been prescribed or which is contained in any of the publications specified in the Schedule.

11. Any person who sells to the prejudice of the purchaser any drug which is not of the nature, or is not of the substance, or is not of the quality, of the article demanded by the purchaser, shall be guilty of an offence.

Prohibition against sale of drugs not of the nature, substance or quality demanded

12. Any person who sells, prepares, packages or stores for sale any drug under insanitary conditions shall be guilty of an offence.

Sale and preparation of drugs under insanitary conditions

C. Cosmetics

13. Any person who sells any cosmetic that-

Prohibited sale of cosmetics

- (a) has in or upon it any substance that may cause injury to the health of the user when the cosmetic is used-
 - (i) according to the direction on the label of or accompanying such cosmetic; or
 - (ii) for such purposes and by such methods of use as are customary or usual therefor; or
- (b) consists in whole or in part of any filthy, rotten, decomposed or diseased substance or of any injurious foreign matter; or
- (c) was prepared, preserved, packed or stored under insanitary conditions;

shall be guilty of an offence.

14. Where a standard has been prescribed for a cosmetic, any person who labels, packages, sells or advertises any article in such a manner that it is likely to be mistaken for a cosmetic of the prescribed standard shall be guilty of an offence unless the article complies with the prescribed standard.

Standards of cosmetics

15. Any person who sells, prepares, packages or stores for sale any cosmetic under insanitary conditions shall be guilty of an offence.

Sale and preparation of cosmetics under insanitary conditions

D. Devices

16. Any person who sells any device that, when used according to directions on the label or contained in a separate document delivered with the device or under such conditions as are customary or usual, may cause injury to the health of the purchaser or user thereof shall be guilty of an offence.

Prohibited sale of devices



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17. Any person who labels, packages, treats, processes, sells or advertises any device in a manner that is false, misleading or deceptive as regards its character, value, composition, merit or safety, or in contravention of any regulations made under this Act, shall be guilty of an offence.

Deception

18. Where a standard has been prescribed for a device, any person who labels, packages, sells or advertises any article in such a manner that it is likely to be mistaken for that device shall be guilty of an offence unless the article complies with the prescribed standard.

Standards of devices

19. Any person who sells, prepares, packages, or stores for sale any device under insanitary conditions shall be guilty of an offence.

Sale and preparation of devices under insanitary conditions

PART III

IMPORTATION AND WARRANTY

20. (1) Subject to the provisions of subsection (2), the importation of any article which does not comply with the provisions of this Act is hereby prohibited.

Importation

(2) Where an article sought to be imported into Zambia would, if sold in Zambia, constitute a contravention of this Act, the article may be imported into Zambia for the purposes of satisfactorily relabelling or reconditioning the same so that the provisions of this Act are complied with and, where such relabelling or reconditioning is not carried out within three months of the importation, such article shall be exported by the importer within a further period of one month or such other period as the Minister may determine and, where it is not so exported, it shall be forfeited and disposed of as the Minister may direct.

21. (1) No manufacturer or distributor of, or dealer in, any article shall sell such article to any vendor unless he gives a warranty in writing in the prescribed form about the nature and quality of such article to the vendor.

Warranty

(2) If any person contravenes the provisions of subsection (1) or gives a warranty which is false, he shall be guilty of an offence.

PART IV

ADMINISTRATION AND ENFORCEMENT

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22. (1) The Minister shall, as soon as may be after the commencement of this Act, constitute a Board called the Food and Drugs Board to advise the Minister on matters arising out of the administration of this Act and to carry out such other functions as may be assigned to it under this Act. Food and Drugs Board

(2) The Board shall consist of the following members:

- (a) the Permanent Secretary, Ministry of Health, *ex officio*, who shall be the chairman;
- (b) the Secretary-General of the National Council for Scientific Research, *ex officio*;
- (c) the Chief Health Inspector employed in the Ministry of Health, *ex officio*;
- (d) the Chief Pharmacist employed in the Ministry of Health, *ex officio*;
- (e) one public analyst nominated by the Minister;

- (f) one member representing the National Food and Nutrition Commission established under section *three* of the National Food and Nutrition Commission Act, and nominated by the Commission; Cap. 308
- (g) one member nominated by the Minister from amongst the Medical Officers of Health employed by local authorities;
- (h) one member who is a person connected with or dealing in the food industry nominated by the Minister;
- (i) one member nominated by the Minister from amongst persons who are members of the Pharmaceutical Society of Zambia; and
- (j) one member of the Zambian Bureau of Standards Board nominated by the said Board

(3) A member of the Board who is not an *ex officio* member shall, unless his office becomes vacant earlier by resignation, death or otherwise, be entitled to hold office for three years and shall be eligible for renomination.

(4) The quorum of the Board shall be five.

(5) The Board may invite any person to attend any particular meeting for the purpose of assisting or advising the Board, but no such person shall have any right to vote at such meeting.

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(6) The Board may appoint one or more committees of the Board consisting of such number of persons, whether members of the Board or not, as it may deem necessary to assist it in the exercise of its functions, provided that the Board shall not delegate any of the powers conferred upon it under this Act to any such committee.

(7) The Board may, subject to any written direction of the Minister, regulate its own procedure and the transactions of its business as well as the work and procedure of the committees appointed by it.

(8) The Minister may appoint a public officer as secretary to the Board, who shall be the Chief Executive Officer of the Board, and it shall be his duty to assist the Board in all respects and in such manner as the Board may from time to time require in the discharge of its functions and the carrying out of its activities under this Act.

23. (1) Subject to the provisions of subsection (2), the Minister may, after consultation with the Board, by statutory instrument, make regulations- Regulations

- (a) declaring that any food or drug or class of food or drugs is adulterated if any prescribed substance or class of substance is present therein or has been added thereto or extracted or omitted therefrom;
- (b) respecting-
 - (i) the labelling and packing and the offering, exposing and advertising for sale of food, drugs, cosmetics and devices;
 - (ii) the size, dimensions and other specifications of packages of food, drugs, cosmetics and devices;
 - (iii) the sale or the conditions of sale of any food, drug, cosmetic or device; and
 - (iv) the use of any substance as an ingredient in any food, drug, cosmetic or device, to prevent the consumer or purchaser thereof from being deceived or misled as to its quality, quantity, character, value, composition, effect, merit or safety or to prevent injury to the health of the consumer or purchaser;
- (c) prescribing standards of composition, strength, potency, purity, quality or other property of any food, drug, cosmetic or device;
- (d) respecting the importation or exportation of food, drugs, cosmetics and devices in order to ensure compliance with this Act;
- (e) respecting the method of preparation, preserving, packing, storing, conveying and testing of any food, drug, cosmetic or device in the interests of, or for the prevention of injury to, the health of the consumer, user or purchaser;
- (f) respecting the carriage of goods subject to the provisions of this Act, including the licensing of vehicles used in such carriage;

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- (g) requiring persons who sell food, drugs, cosmetics or devices to maintain such books and records as the Board considers necessary for the proper enforcement and administration of this Act;
- (h) requiring manufacturers of any drugs to submit test portions of any batch of such drugs;
- (i) providing for the analysis or examination of food, drugs, cosmetics or devices for the purposes of this Act or for any other purpose and prescribing a tariff of fees to be paid for such analysis and prescribing methods of analysis;
- (j) providing for the taking of samples of any article for the purposes of this Act or for any other purposes;
- (k) exempting any food, drug, cosmetic or device from all or any of the provisions of this Act and prescribing the conditions of such exemption; and
- (l) prescribing anything which is to be or which may be prescribed under this Act.

(2) Where the Board deems it advisable that any regulations under subsection (1) should be published as a draft thereof with a view to inviting the comments of the public thereon, no such regulations shall be made unless a draft thereof has been published in the *Gazette* not less than fourteen days before the regulations are made.

(3) Where any regulations made under this Act or under the Public Health Act prohibit or restrict the addition of any ingredient or material to any food, the addition of such ingredient or material, if made in contravention of such regulations, shall, for the purposes of this Act, be deemed to render the food injurious to health. Cap. 237

(4) Where any regulations made under this Act or under the Public Health Act prescribe the composition of any article of food intended for sale, or prohibit or restrict the addition of any ingredient or material to any such article, the purchaser of such article shall, unless the contrary is proved, be deemed, for the purposes of this section, to have demanded an article complying with the provisions of such regulations as regards the presence or amount of any constituent, ingredient or material specified in the said regulations. Cap. 295

(5) The Minister may, by statutory instrument, after consultation with the Board, make regulations generally for carrying out any of the purposes or provisions of this Act.

24. (1) An authorised officer may, at any hour reasonable for the proper performance of his duty- Powers of authorised officers



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- (a) enter any premises where he believes any article to which this Act applies is prepared, preserved, packaged, stored or conveyed, examine any such article and take samples thereof, and examine anything that he believes is used or capable of being used for such preparation, preservation, packaging, storing or conveying;
 - (b) stop or search or detain any aircraft, ship or vehicle in which he believes on reasonable grounds that any article subject to the provisions of this Act is being conveyed and examine any such article and take samples thereof for the purposes of this Act;
 - (c) open and examine any receptacle or package which he believes contains any article to which this Act applies;
 - (d) examine any books, documents or other records found in any premises mentioned in paragraph (a) that he believes contain any information relevant to the enforcement of this Act with respect to any article to which this Act applies and make copies thereof or take extracts therefrom; and
 - (e) seize and detain for such time as may be necessary any article by means of or in relation to which he believes any provision of this Act has been contravened.
- (2) An authorised officer acting under this section shall, if so required, produce his authority.
- (3) Any owner, occupier or person in charge of any premises entered by an authorised officer pursuant to subsection (1) (a), or any person found therein, who does not give to the authorised officer all reasonable assistance in his power and furnish him with such information as he may reasonably require, shall be guilty of an offence.
- (4) Any person who obstructs or impedes any authorised officer in the course of his duties, or prevents or attempts to prevent the execution by the authorised officer of his duty under this Act, shall be guilty of an offence.
- (5) Any person who knowingly makes any false or misleading statement, either verbally or in writing, to any authorised officer engaged in carrying out his duties under this Act shall be guilty of an offence.
- (6) An authorised officer shall release any article seized by him under this Act when he is satisfied that all the provisions of this Act with respect thereto have been complied with.
- (7) Where an authorised officer has seized an article under this Act and the owner thereof or the person in whose possession the article was at the time of seizure consents to the destruction thereof, the article may be destroyed or otherwise disposed of as the authorised officer may direct; if the owner or the person does not consent to the destruction of the article, the authorised officer may apply to a subordinate court for the destruction or disposal of such article and the subordinate court may make such order as it may deem fit.

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(8) Where any article has been seized under the provisions of subsection (1) (e) and the owner thereof has been convicted of an offence under this Act, the article may be destroyed or otherwise disposed of as the court may direct.

(9) Any person who removes, alters or interferes in any way with any article seized under this Act, without the authority of an authorised officer, shall be guilty of an offence.

(10) Any article seized under this Act may, at the option of an authorised officer, be kept or stored in the premises where it was seized or may, at the direction of an authorised officer, be removed to any other proper place.

(11) An authorised officer may submit any article seized by him or any sample therefrom or any sample taken by him to a public analyst for analysis or examination.

25. (1) No person shall be appointed to be a public analyst for any area in which he is engaged directly or indirectly in any trade or business connected with the sale of food, drugs, cosmetics and devices.

Appointment and duties of public analyst

(2) A public analyst shall as soon as practicable analyse or examine any sample sent to him in pursuance of this Act and shall give the authorised officer a certificate specifying the result of the analysis or examination, and such certificate shall be in such form as may be prescribed by the Minister on the advice of the Board.

26. The Director of Medical Services may, in relation to any matter appearing to him to affect the general interests of the consumer, direct a public officer to procure for analysis samples of any food, drug, device and cosmetic, and thereupon that officer shall have all the powers of an authorised officer under this Act, and this Act shall apply as if the officer were an authorised officer.

Power of Director of Medical Services

27. (1) It shall be the duty of every local authority to exercise such powers as are conferred upon it and in particular to direct its officers to procure samples for analysis.

Duty of local authority to enforce Act

(2) If the Minister is of the opinion that a local authority has failed to execute or enforce any of the provisions of this Act in relation to any article and that its failure affects the general interests of the consumer, the Minister may by order empower an officer to execute and enforce those provisions or to procure the execution and enforcement thereof in relation to any article mentioned in the order.

(3) The expenses incurred as a result of any order under subsection (2) shall be recoverable by the Minister from the local authority and the amount so recovered shall be treated as expenses incurred by the local authority under this Act.



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28. (1) The Minister may direct any person who at the date of the direction or at any subsequent time carries on a business which includes the production, importation or use of any substances to which this Act applies to furnish to him, within such time as may be specified in such direction, such particulars, as may be so specified, of the composition and use of any such substance sold or for sale in the course of that business or used in the preparation of food or drugs.

Power of Minister to obtain particulars of certain food or drug ingredients

(2) Without prejudice to the generality of subsection (1), a direction made thereunder may require the following particulars to be furnished in respect of any substance, that is to say:

- (a) particulars of the composition and chemical formula of the substance;
- (b) particulars of the manner in which the substance is used or proposed to be used in the preparation of food;
- (c) particulars of any investigations carried out by or to the knowledge of the person carrying on the business in question, for the purpose of determining whether and to what extent the substance, or any product formed when the substance is used as aforesaid, is injurious to, or in any other way affects, health;
- (d) particulars of any investigation, or inquiries carried out by or to the knowledge of the person carrying on the business in question, for the purpose of determining the cumulative effect on the health of a person consuming the substance in ordinary quantities.

(3) No particulars furnished in accordance with a direction under this section and no information relating to any individual business obtained by means of such particulars shall, without the previous consent in writing of the person carrying on the business in question, be disclosed by any person except in due discharge of his duties under this Act, and any person who discloses any such particulars or information in contravention of this subsection shall be guilty of an offence.

PART V

LEGAL PROCEEDINGS

29. (1) On the conviction of any person for any offence under this Act, the court may, in addition to any other penalty which it may lawfully impose, cancel any licence issued to such person under any written law.

Power of court to order licence to be cancelled and articles to be disposed of

(2) Where a person has been convicted of an offence under this Act, the court may order that any article by means of or in relation to which the offence was committed, or anything of a similar nature belonging to or in the possession of the convicted person or found with such article, be forfeited, and, upon such order being made, such articles and things may be disposed of as the court may direct.

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30. (1) Where a public analyst, having analysed or examined any article to which this Act applies, has given his certificate and from that certificate it appears that an offence under this Act has been committed, an authorised officer may take proceedings under this Act before any subordinate court having jurisdiction in the place where the article sold was actually delivered to the purchaser or the sample thereof taken.

Prosecution

(2) In any proceedings under this Act, the contents of any package appearing to be intact and in the original state of packing by the manufacturer thereof, shall be deemed, unless the contrary is proved, to be an article of the description specified on the label.

31. (1) In any prosecution under this Act, the summons shall state the particulars of the offence or offences alleged and also the name of the prosecuting officer and shall not be made returnable before fourteen days from the date on which it is served.

Penalties

(2) A person found guilty of an offence under this Act for which no special penalty is provided shall be liable on conviction-

- (a) in the case of a first offence, to a fine not exceeding one thousand penalty units or to imprisonment for a term not exceeding three months, or to both;
- (b) in the case of a subsequent offence, to a fine not exceeding two 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. In any proceedings under this Act-

Certificates of analysis and presumptions

- (a) a certificate of analysis purporting to be signed by a public analyst shall be accepted as *prima facie* evidence of the facts stated therein, provided that-
 - (i) the party against whom it is produced may require the attendance of the public analyst for the purposes of cross-examination; and



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- (ii) no such certificate of a public analyst shall be received in evidence unless the party intending to produce it has, before the trial, given the party against whom it is intended to be produced reasonable notice of such intention together with a copy of the certificate;
- (b) evidence that the package contains any article to which this Act applies, bore a name, address or registered mark of the person by whom it was manufactured or packed shall be *prima facie* evidence that such article was manufactured or packed, as the case may be, by that person;
- (c) any substance commonly used for human consumption shall, if sold or offered, exposed or kept for sale, be presumed, until the contrary is proved, to have been sold or, as the case may be, to have been or to be intended for sale for human consumption;
- (d) any substance commonly used for human consumption which is found on premises used for the preparation, storage or sale of that substance, and any substance commonly used in the manufacture of products for human consumption which is found on premises used for the preparation, storage or sale of those products, shall be presumed, until the contrary is proved, to be intended for sale, or for manufacturing products for sale, for human consumption;
- (e) any substance capable of being used in the composition or preparation of any substance commonly used for human consumption which is found on premises on which that substance is prepared shall, until the contrary is proved, be presumed to be intended for such use.

33. The provisions of this Act shall be in addition to and not in derogation of the provisions of any other written law. Saving of other written laws

34. The Minister may, by statutory order, amend the Schedule. Minister's power to amend Schedule

SCHEDULE

(Sections 2 and 10)

PUBLICATIONS

The current editions of:

| <i>Name</i> | <i>Abbreviation</i> |
|---------------------------------------------------|---------------------|
| Pharmacopoeia Internationalis | (Ph.I.) |
| The British Pharmacopoeia | (B.P.) |
| The Pharmacopoeia of the United States of America | (U.S.P.) |
| Codex Francais | (Codex) |
| The Canadian Formulary | (C.F.) |
| The British Pharmaceutical Codex | (B.P.C.) |
| The National Formulary | (N.F.) |
| The British Veterinary Codex | (B.Vet.C.) |

SUBSIDIARY LEGISLATION

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FOOD AND DRUGS

CAP. 303

SECTION 23-THE FOOD AND DRUGS (WARRANTY) REGULATIONS

Statutory Instruments

Regulations by the Minister after consultation with the Food and Drugs Board

244 of 1972

Title

Warranty

1. These Regulations may be cited as the Food and Drugs (Warranty Regulations).
2. No manufacturer or distributor of, or dealer in, any article shall sell such article to a vendor unless he gives to the vendor a warranty in a form set out in the Schedule and applicable to such sale.

SCHEDULE

(Regulation 2)

PRESCRIBED FORMS



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FORM 1

WARRANTY FOR A SINGLE TRANSACTION

Invoice No..... Date of sale.....

Place of sale..... From.....

To.....

Nature and quality of the article.....

Quantity.....

Price.....

I/We hereby certify that the article/articles listed herein is/are warranted to be of the nature and quality mentioned herein.

.....

*Signature of manufacturer,
distributor or dealer*



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FORM 2

CONTINUING WARRANTY

Date.....

From.....

To.....

I/We hereby give a warranty that each article which we will supply to you hereafter shall be of the nature and quality mentioned in our invoice recording the sale of such article to you.

Signature of manufacturer,
distributor or dealer

THE FOOD AND DRUGS* REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY AND GENERAL

Regulation

1. Title and commencement
2. Interpretation
3. Application
4. Power to delegate
5. Copies of prescribed methods to be furnished
6. Reference by one name deemed reference by any other
7. Manner of designating lot or batch number
8. Language on label to include English
9. All information required on label to be prominently displayed and discernible
10. Jurisdiction of authorised officer
11. Authorised officer to have identification
12. Power to take photographs
13. Prohibition on selling to vendor without warranty
14. Formalities for taking sample by, and form of certificate of analysis or examination given by public analyst to, authorised officer

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PART II

FOOD

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Part XIA-Food additives that may be used as Class I Preservatives

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SECTION 23-FOOD AND DRUGS REGULATIONS

Regulations by the Minister after consultation with the Food and Drugs Board

Statutory Instruments

133 of 1978
37 of 1992
38 of 1992
39 of 1992
40 of 1992
93 of 1992

PART I

PRELIMINARY AND GENERAL

1. (1) These Regulations may be cited as the Food and Drugs Regulations.

Title and commencement

(2) These Regulations shall come into operation-

(a) except in respect of regulations 30 to 49 and regulation 299, on the expiration of a period of six months after the day on which they shall be published in the *Gazette*;

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(b) in respect of regulations 30 to 49 and regulation 299, on the expiration of a period of twelve months after the day on which they shall be published in the *Gazette*.

2. In these Regulations, unless the context otherwise requires-

Interpretation

"Act" means the Food and Drugs Act;

Cap. 303

"cubic centimetre" and its abbreviation "cc", shall be deemed to be interchangeable with the term "millilitre" and its abbreviation "ml";

"inner label" means the label on or affixed to an immediate container of a food, drug, cosmetic or device;

"lot number" means any combination of letters, figures, or both, by which any food, drug or device can be traced in manufacture and identified in distribution;

"manufacturer" means a person who, under his own name, or under a trade, design or word mark, trade name or other name, word or mark controlled by him, sells a food, drug, cosmetic or device;

"outer label" means the label on or affixed to the outside of a package of food, drug, cosmetic or device;

"prescribed method" means a method of analysis or examination which shall be used as indicated.

3. These Regulations, where applicable, prescribe the standards of composition, strength, potency, purity, quality or other property of the article of food, drug, cosmetic or device to which they refer.

Application

4. The Minister may, by writing under his hand, delegate his authority as he deems fit.

Power to delegate

5. The Minister shall, upon request, furnish copies of prescribed methods.

Copies of prescribed methods to be furnished

6. Where a food, drug, cosmetic or device has more than one name, whether proper or common, a reference in these Regulations to the food, drug, cosmetic or device by any of its names is deemed to be a reference to the food, drug, cosmetic or device by all of its names.

Reference by one name deemed reference by any other



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| <p>7. When a lot or batch number is required by these Regulations to appear on any article, container, package or label it shall be preceded by one of the following designations:</p> <ul style="list-style-type: none"> (a) "lot number" or "batch number"; (b) "lot no." or "batch no."; (c) "lot" or "batch"; | <p>Manner of designating lot or batch number</p> |
| <p>8. (1) Any statement, information or declaration that is required by these Regulations to appear on the label of any food, drug, cosmetic or device, shall be in the English language.</p> <p>(2) Any other language may be used in addition to English.</p> | <p>Language on label to include English</p> |
| <p>9. All information required by these Regulations to appear on a label of a food, drug, cosmetic or device shall be-</p> <ul style="list-style-type: none"> (a) clearly and prominently displayed on the label; and (b) readily discernible to the purchaser, customer or recipient under the customary conditions of purchase or use. | <p>All information required on label to be prominently displayed and discernible</p> |
| <p>10. Within limits specified by the Minister, the authority of an authorised officer extends to and includes the whole of Zambia.</p> | <p>Jurisdiction of authorised officer</p> |
| <p>11. Every authorised officer shall have a suitable identification to indicate that he has been appointed as an authorised officer.</p> | <p>Authorised officer to have identification</p> |
| <p>12. An authorised officer may take photographs of such premises and such articles referred to in section <i>twenty-four</i> of the Act as may be relevant to the administration of the Act.</p> | <p>Power to take photographs</p> |
| <p>13. No manufacturer or distributor of, or dealer in, any article shall sell such article to a vendor unless he gives to the vendor a warranty in Form 1 or Form 2 in Part I of the First Schedule and applicable to such sale.</p> | <p>Prohibition on selling to vendor without warranty</p> |
| <p>14. (1) When taking a sample pursuant to section <i>twenty-four</i> of the Act, an authorised officer shall-</p> <ul style="list-style-type: none"> (a) notify the owner thereof, or the person from whom the sample is obtained, of the fact that the sample is so taken and that, if he considers it necessary, he would submit the sample to a public analyst for analysis or examination; | <p>Formalities for taking sample by, and form of certificate of analysis or examination given by public analyst to, authorised officer</p> |



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- (b) identify the entire quantity as the sample;
- (c) seal the sample in such a manner that it cannot be opened without breaking the seal; and
- (d) forward the sample to a public analyst for analysis or examination.

(2) A public analyst after analysis or examination of a sample sent to him shall give the authorised officer a certificate, specifying the result of analysis or examination, in a form in Part II of the First Schedule.

PART II

FOOD

15. In this Part, unless the context otherwise requires-

Interpretation of terms in Part II

"close proximity" means, with reference to the common name, immediately adjacent to the common name without any intervening, printed, written or graphic matter;

"common name" means, with reference to food, any name set out in column 2 of Part I of the Second Schedule and referred to in the regulation set out in column 3 opposite thereto or, if the name is not so set out, any name in English by which that food is generally known;

"component" means any substance which forms part of an ingredient;

"flavouring preparation" includes any food for which a standard is provided in regulations 219 to 243;

"food additive" means any substance, including any source of radiation, the use of which results, or may reasonably be expected to result in it, or its byproducts becoming a part of affecting the characteristics of a food, but does not include-

- (a) any nutritive material that is used, recognised, or commonly sold as an article or ingredient of food;
- (b) vitamins, mineral nutrients and amino acids;
- (c) species, seasonings, flavouring preparations, essential oils, oleoresins and natural extractives;
- (d) pesticides;
- (e) packaging materials and components thereof; and
- (f) drugs in foods from animal sources;

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"food colour" means those colours permitted for use in or upon food by regulation 116;

"gelling agent" includes any food for which a standard is provided in regulations 282 and 283;

"ingredient" means any substance, including a food additive, used in the manufacture or preparation of a food and present in the final product;

"per centum" means per centum by weight, unless otherwise stated, and may be symbolised as %;

"licence" means a licence granted under regulation 16;

"sugar" means sucrose;

"sweetening agent" includes any food for which a standard is provided in regulations 337 to 343;

"unstandardised food" means any food for which a standard is not prescribed in this Part.

Licences

16. No person shall use any premises for sale or manufacture for sale of any food unless he shall first have obtained a licence from the local authority authorising him to use them in such a way: Licence required for use of premises for sale or manufacture of food

Provided that this regulation shall not apply to the sale of liquor in any case in which the provisions of the Liquor Licensing Act do not apply. Cap. 167

17. (1) A licence may be issued for a period not exceeding one calendar year and no licence shall continue in force beyond the 31st December of the year in which it was issued. Validity of permit or licence

(2) The permits, licences, or certificates of registration, if any, issued under the regulations revoked by these Regulations and which are in force at the time of the commencement of these Regulations shall be deemed licences issued under regulation 16 of these Regulations.

18. Any person desiring a licence shall send to the local authority a written application on a form to be obtained from the office of the local authority and shall furnish all the information required by such form. Application for licence



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19. No licence shall be granted unless the authorised officer is satisfied that the premises and manufacturing facilities in respect of which such licence is desired comply with regulations 410 to 422. Licence not to be granted except where facilities comply with regulations 410 to 422

20. (1) The local authority may refuse to grant or renew any licence, or may grant such licence on such conditions as it may lay down. Renewal or grant of licence may be refused

(2) A breach of any condition attached to a licence shall be deemed to be a breach of these Regulations.

21. No licence shall be transferable from the premises in respect of which it is granted to any other premises. Licence not transferable

Policy

22. Where a standard for a food is prescribed in this Part- Composition of standardised food

- (a) the food shall contain only the ingredients included in the standard for that food;
- (b) each ingredient shall be incorporated in the food in a quantity within any limits prescribed for that ingredient; and
- (c) if the standard permits an ingredient to be used as a food additive for a specified purpose, that ingredient shall be a food set out in one of the Parts of the Nineteenth Schedule for use as an additive to that food for that purpose.

23. Where a standard for a food is not prescribed in this Part- Unstandardised food to contain only permitted additives and in quantities within prescribed limits

- (a) the food shall not contain any food additives except food additives set out in a Part of the Nineteenth Schedule for use as additives to that food for the purpose set out, except in the case of Part VIII of the said Schedule, at the heading to that Part and in the case of Part VIII of the said Schedule, in the column marked "column 4" thereof;
- (b) each such food additive shall be incorporated in the food in a quantity within any limits prescribed for that food and food additive in that Part.

24. Where an ingredient is permitted to be used as a food additive in or upon a food, no person shall use that food additive unless- Use of additives not conforming to prescribed specifications prohibited in food

- (a) where specifications are set out for that additive in this Part, it meets those specifications; and
- (b) where no specifications are set out for that additive in this Part but specifications are set out for that additive in publication 1406, "Food Chemical Codex", published by the National Academy of Sciences Natural Research Council of the United States of America, it meets those specifications.



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25. Subject to the provisions of regulation 26, a food is adulterated if any of the following substances or classes of substances are present therein or have been added thereto: When food is adulterated

- (a) mineral oil or paraffin wax or any preparation thereof;
- (b) coumarin, an extract of tonka beans, the seed of *Dipteryx odorate* Willd. or *Dipteryx oppositifolia* Willd.;
- (c) non-nutritive sweetening agents other than saccharin or its salts;
- (d) cottonseed flour that contains more than four hundred and fifty parts per million of free gossypol;
- (e) fatty acids and their salts containing chicken-oedema factor or other toxic factors;
- (f) dihydrosafrole;
- (g) isosafrole;
- (h) oil of American sassafras from *Sassfras albidum* (Nutt). Nees;
- (i) oil of Brazilian sassafras from Octes Sp. H.B.K.;
- (j) oil of camphor sassafras from *Cinnamomum Camphorum* Sieb;
- (k) oil of micranthum from *Cinnamomum micranthum* Hayata;
- (l) safrole; or
- (m) oil, extract, root or Rhizome of calamus from *Acorus calamus* L.

26. Notwithstanding anything contained in regulation 25-

Exceptions to regulation
25

- (a) a food is not adulterated if it contains less than 0.3 per centum of mineral oil, if good manufacturing practices require the use of mineral oil;
- (b) chewing gum is not adulterated by reason only that it contains a paraffin wax base;
- (c) fresh fruits and vegetables, except turnips, are not adulterated if they are coated with less than 0.3 per centum of paraffin wax and petrolatum, if good manufacturing practices require the use of such coating; and
- (d) turnips and cheese are not adulterated if they are coated with paraffin wax in accordance with good manufacturing practice.

27. (1) Subject to the other provisions of this regulation, no person shall sell a food that is represented as for use for babies if the food contains a food additive unless permission for such use has been granted by the Minister.

Restriction on sale of
babies' food containing
food additive

(2) Sub-regulation (1) shall not apply to-

- (a) ascorbic acid used in dry cereals containing bannas; or
- (b) soyabean lecithin in rice cereals represented as for use for babies.

28. A package intended, or customarily considered suitable, to hold food shall be used for no other purpose.

Package intended to hold
food to be used for no
other purpose

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29. A package not intended, or not customarily considered suitable, to hold food shall not be used to hold food.

Package not intended to hold food not to be used to hold food

Labelling

30. Subject to the other provisions of these Regulations, no person shall sell a food unless a label has been applied to that food.

Prohibition from sale of unlabelled food

31. (1) The label applied to a food shall carry-

Declaration to be included in label

(a) on the main panel-

- (i) the brand or trade name, if any of the food;
- (ii) the common name of the food; and
- (iii) in close proximity to the common name, a correct declaration of the net contents in terms of weight, volume or number in accordance with the usual practice in describing the food;

(b) grouped together on any panel-

- (i) a declaration by name of any Class II, Class III or Class IV Preservative in the food;
 - (ii) a declaration of any food colour added to the food;
 - (iii) a declaration of any artificial or imitation flavouring preparation added to a food other than a food listed in regulation 41;
 - (iv) in the case of a food consisting of more than one ingredient, unless specifically exempted by the Minister, a complete list of the ingredients by their acceptable common names in descending order of their proportions, unless the quantity of each ingredient is stated in terms of per centum or proportionate composition; and
 - (v) any other statement required by these Regulations to be declared, such as meaningful coding and date-marking referred to in regulation 421 (4) (i) (i) and (ii);
- (c) on any panel, the name and address of the manufacturer, packer, distributor, importer, exporter or vendor of the food.

(2) For the purposes of sub-regulation (1) (a) (ii) and (iii), the size of the letters used for the common name and in declaring the net contents shall be at least half of the size of the letters used for the brand or trade name.

(3) For the purpose of sub-regulation (1) (b) (iv), in the case of food consisting of more than one ingredient, the size of the letters used in the complete list shall be at least one quarter of the size of the letters used for the brand or trade name.

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32. Notwithstanding anything contained in regulation 31, the information required by that regulation shall not be placed at the bottom of the container of any food or on a panel at the bottom thereof. Label information not to be at bottom of container

33. For the purposes of regulations 9 (a) and 31 (a)- Manner of displaying multiworded common name and declaration of net contents

(a) a common name consisting of more than one word shall be deemed to be clearly and prominently displayed on the main panel of the label if each word, other than articles, conjunctions or prepositions, is in identical type and identically displayed as the brand or trade name; and

(b) a declaration of net contents, including each numeral in any indicated fraction, on a package of food shall be deemed to be clearly and prominently displayed thereon if it is in boldface type.

34. Notwithstanding anything contained in regulation 31 (a) (iii), a declaration of net contents on a package of food the weight of which, including the package, is less than 50 grams, may be waived by the Minister. Waiver of declaration of net contents of certain packages

35. Regulations 9 and 31 (a) (iii) shall not apply to the position or size of the letters of the declaration of net contents on the label of- Position or size of letters of declaration of net contents not to apply on labels of certain foods

(a) a package of food where the manner of declaration is described or prescribed by any other Act of Parliament or any regulation made thereunder;

(b) a food packed in glass containers on which the declaration of net contents appears in blown lettering;

(c) alcoholic beverages or soft drinks;

(d) margarine, shortening, lard and similar packaged food fats when packed in packages of 250 grams or multiples thereof;

(e) eggs packed in cartons.

36. Where inner and outer labels are employed on a package of food, all label declarations required by these Regulations shall appear on both the inner and outer labels. Label declaration to appear on inner and outer labels

37. No reference, direct or indirect, to this Act shall be made upon any label of, or in any advertisement for, a food unless the reference is a specific requirement of this Act. Restriction on referring to this Act on label or in advertisement

38. Regulations 30 and 31 shall not apply to a food sold in bulk or packaged from bulk at the place where the food is retailed. In certain cases food may be sold unlabelled and label declaration dispensed with

Provided that packages of such food may bear-

(i) the name of the food; and

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(ii) the net contents of the package.

39. For the purpose of regulation 31 (b) (iv), a name set out in column 1 of Part II of the Second Schedule is an acceptable common name for the food set out in column 2 thereof relating to the same item.

Acceptable common names of certain foods for purpose of regulation 31 (b) (iv)

40. Notwithstanding the provisions of regulation 31 (b) (ii), a label declaration is not required to indicate the presence of caramel as a food colour in-

Label declaration not required to indicate presence of caramel as food colour in certain foods

- (a) non-excisable fermented beverages;
- (b) sauces;
- (c) spirituous liquors;
- (d) vinegar, except vinegar or blends containing spirit vinegar;
- (e) wine;
- (f) soft drinks.

41. A label declaration is not required to indicate the presence of added artificial or imitation flavouring preparation in liqueurs, alcoholic beverages and soft drinks.

Label declaration not required to indicate presence of added flavouring preparation in certain foods

42. Where a standard for a food is prescribed in this Part, any specific label requirement in the standard shall also be followed.

Specific label requirement in prescribed standard for food also to be followed

43. Food in a package shall not be described or presented on any label by words, pictures or other marks which, either directly or indirectly, refer to, or are suggestive of, any other product with which such food might be confused, or in such manner as to lead the purchaser or consumer to suppose that the food is connected with such other product.

Misleading description or presentation on label prohibited

44. (1) The country of origin of a food shall be declared.

Country of origin of food to be declared

(2) When a food undergoes processing in a second country and changes its nature, the country in which the processing is performed shall, for the purposes of labelling, be considered to be the country or origin.

45. No person shall manufacture, produce, pack or sell any food which has been subjected or exposed to ionising radiation unless, upon application, the Minister approves the radiation of such food. Food which has thus been permitted to such subjection or exposure shall be so designated.

Restrictions on manufacturing, etc., food subjected or exposed to ionising radiation



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46. Grade designations used on the label shall be readily understandable and in no way misleading or deceptive.

Grade designations to be understandable and not to be misleading

47. (1) Subject to regulation 49, the main panel of the label applied to a food packaged in a disposable metal container designed to release pressurised contents by means of a manually operated valve that forms an integral part of the container shall prominently show-

Marking of disposable metal container designed to release pressurised contents

- (a) the signal word, "Caution"; and
- (b) the nature of the primary hazard, such as "Container may explode if heated".

(2) One panel of the label applied to a food referred to in sub-regulation (1) shall show-

- (a) the nature of the secondary hazard as "Contents under pressure"; and
- (b) statements of precaution, such as "Do not place in hot water or near radiators, stoves or other sources of heat" and "Even when empty, do not puncture or incinerate container or store at temperatures above 50°C".

(3) The requirements of sub-regulations (1) and (2) shall not apply where, in relation to a food, in the opinion of the Minister, the design of the container, the material used in its construction, or the incorporation of a safety device, eliminates the potential hazard therein.

48. (1) Subject to regulation 49, the main panel of the label applied to a food referred to in regulation 47 (1) shall, where it does not meet the flame projection test and the closed drum test, as determined by the prescribed method, prominently show-

Marking of disposable metal container designed to release pressurised contents not meeting certain tests

- (a) the applicable signal word, "Danger", "Warning" or "Caution"; and
- (b) the nature of the primary hazard, as "Extremely Flammable".

(2) Where the flashpoint of the product is less than 65°C, one panel of the label shall, in addition to the requirements of paragraphs (a) and (b) of sub-regulation (1), show the statement of precaution, such as "Keep away from open flame or spark".

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49. Where the net contents of a container of a food, referred to in regulation 47 (1) or 48, do not exceed 50 grams, the label may, by waiver from the Minister, be required to show only the information described in paragraphs (a) and (b) of sub-regulation (1) of regulation 47 or paragraphs (a) and (b) of sub-regulation (1) of regulation 48, as the case may be.

Certain markings in case of disposable metal container designed to release pressurised contents not exceeding 50 grams may be waived

Special Dietary Foods

50. Where a statement or claim implying a special dietary use is made on any label of, or in any advertisement for, a food the label shall carry a statement of the type of diet for which that food is recommended.

Type of diet to be declared on label of, or in advertisement for special dietary food

51. A food containing saccharin or its salt shall carry on the label a statement to the effect that it contains (naming the non-nutritive sweetener) a non-nutritive sweetener.

Label declaration of food containing saccharin or its salt

52. Special dietary foods recommended for carbohydrate or sugar-reduced diets shall be foods that contain not more than 50 per centum of the glycogenic carbohydrates normally present in foods of the same class.

Standard for carbohydrate or sugar-reduced diet

53. For the purposes of these Regulations, a food may, if it contains not more than 0.25 per centum of glycogenic carbohydrates, be described as sugarless, sugar-free, low in carbohydrates or by any other appropriate synonymous terms.

When food may be declared as sugarless, sugar-free or low in carbohydrates

54. Where a statement of claim relating to the carbohydrate, sugar or starch content is made on the label of, or in any advertisement for, a food, the label shall carry a statement, on a percentage basis, of the carbohydrate content.

Claim relating to carbohydrate, sugar or starch content on label of, or in advertisement for, food to be supported by declaration of carbohydrate content

55. Special dietary foods recommended for calorie-reduced diets shall be foods that contain not more than 50 per centum of the total calories normally present in foods of the same class.

Standard for calorie-reduced diets

56. For the purposes of these Regulations, a food may be described as low calorie or by any other appropriate synonymous term if it contains not more than-

Conditions for describing food as low calorie

- (a) 15 kilo calories per average serving; and
- (b) 30 kilo calories in a reasonable daily intake.



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57. Where a statement of claim relating to the calorie content is made on the label of, or in any advertisement for, a food, the label shall carry a statement of the calorie content in kilo calories per 100 grams.

Claim relating to calorie content on label of, or in advertisement for, food to be supported by declaration of calorie content

58. For the purposes of these Regulations, a food may be described as-

Standard for low sodium and very low sodium diets

- (a) "low sodium", or by any other appropriate synonymous term, if it is a food which has been processed without the addition of sodium salts; and the sodium content of the food is not more than one-half of that of the comparable normal product as consumed; and it is not more than 120 milligrams per 100 grams of the final product as normally consumed;
- (b) "very low sodium" or by any other appropriate synonymous term, if it is a food which has been processed without the addition of sodium salts; and the sodium content of the food is not more than one-half of the comparable normal product as consumed; and is not more than 40 milligrams per 100 grams of the final product as normally consumed.

59. Where a statement of claim relating to the sodium content is made on the label of, or in any advertisement for, a food, the label shall carry a declaration of the sodium content in milligrams per 100 grams.

Claim relating to sodium content on label of, or in advertisement for, food to be supported by declaration of sodium content

60. No person shall sell a food containing a non-nutritive sweetening agent unless-

Restriction on selling foods containing non-nutritive sweetening agents

- (a) that food meets the requirements for special dietary foods as prescribed in regulation 52 or 55; and
- (b) the label carries a statement implying a special dietary use.

Alcoholic Beverages

61. The foods referred to in regulations 61 to 96 are included in the term "alcoholic beverages".

Application

62. For the purposes of regulations 61 to 96, unless the context otherwise requires-

Interpretation

"absolute alcohol" means alcohol of a strength of 100 per centum;

"age" means the period during which an alcoholic beverage is kept under such conditions of storage as may be necessary to render it potable or to develop its characteristic flavour or bouquet;

"alcohol" means ethyl alcohol (ethanol);

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"grain spirit" means an alcoholic distillate, obtained from a mash of cereal grain or cereal grain products saccharified by the diastase of malt or by other enzyme and fermented by the action of yeast and from which all or nearly all of the naturally occurring substance other than alcohol and water have been removed;

"flavouring" means other domestic or imported spirit or wine customarily used, or permitted under the Customs and Excise Act; Cap. 322

"neutral spirit" means the alcoholic distillate obtained from the fermentation of carbohydrate materials and rectified at a strength of not less than 81.84 per centum of absolute alcohol; and

"small wood" means wood casks or barrels of not greater than 750 litres capacity.

63. Whisky shall be a potable alcoholic distillate, obtained from a mash of cereal grain or cereal grain products saccharified by the diastase of malt or other natural enzyme and fermented by the action of yeast and aged not less than three years, may contain a flavouring or caramel, and shall contain not less than 34.49 per centum of absolute alcohol. Standard for whisky

64. (1) Subject to sub-regulation (2), no person shall make any claim with respect to the age of whisky other than for the period during which the whisky has been stored in small wood. Restriction on claim of age of whisky

(2) Where whisky has been aged in small wood for at least three years, any period not exceeding six months during which that whisky was held in other containers may be claimed as age.

65. Malt whisky shall be whisky obtained by the pot-still distillation of a mash consisting substantially of barley malt fermented by the action of yeast or a mixture of such whiskies. Standard for malt whisky

66. Grain whisky shall be whisky that has been distilled in such a manner as to retain some of the volatile congenic substance produced during fermentation. Standard for grain whisky

67. Scotch whisky shall be the whisky distilled in Scotland as Scotch whisky in accordance with the laws of the United Kingdom for consumption in that country. Standard for Scotch whisky

68. Blended whisky shall be a potable alcoholic distillate obtained from a mash of cereal grain products saccharified by the diastase of malt or other natural enzyme and fermented by the action of yeast or a mixture of such distillate to which neutral spirit may be added, may contain a flavouring or caramel and shall contain not less than 34.49 per centum of absolute alcohol. Standard for blended whisky

69. If neutral spirit is added in the manufacture of blended whisky, the label shall clearly and legibly bear the words "Blended with neutral spirit". Label declaration where neutral spirit is added to blended whisky

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| <p>70. Rum shall be a potable alcoholic distillate obtained from sugarcane products fermented by the action of yeast or a mixture of yeast and other organisms, or a mixture of such distillates which has been aged and held for a period of not less than two years in small wood, may contain caramel, and be flavoured with fruit or other botanical substances or flavouring, and shall contain not less than 34.49 per centum of absolute alcohol.</p> | <p>Standard for rum</p> |
| <p>71. Blended rum shall be a potable alcoholic distillate obtained from sugarcane products fermented by the action of yeast or a mixture of such distillates to which neutral spirit may be added, may contain caramel and be flavoured with fruit or other botanical substances or flavouring, and shall contain not less than 34.49 per centum of absolute alcohol.</p> | <p>Standard for blended rum</p> |
| <p>72. If neutral spirit is added in the manufacture of blended rum, the label shall clearly and legibly bear the words "Blended with neutral spirit".</p> | <p>Label declaration where neutral spirit is added to blended rum</p> |
| <p>73. Gin shall be the product obtained by redistillation of suitable rectified grain spirit or other carbohydrate material with or over juniper berries, may contain other aromatic botanical substances, sugar and salt, and shall contain not less than 34.49 per centum of absolute alcohol.</p> | <p>Standard for gin</p> |
| <p>74. Dry gin shall be the gin to which no sugar has been added.</p> | <p>Standard for gin</p> |
| <p>75. No person shall make any claim with respect to the age of gin, but gin that has been held in suitable containers may bear a label declaration to that effect.</p> | <p>Prohibition from claiming age of gin</p> |
| <p>76. Blended gin shall be a potable alcoholic product obtained by the redistillation of suitable rectified grain spirit with or over juniper berries, may contain aromatic botanical substances, sugar and salt and to which neutral spirits may be added, and shall contain not less than 34.49 per centum of absolute alcohol.</p> | <p>Standard for blended gin</p> |
| <p>77. If neutral spirit is added in the manufacture of blended gin, the label shall clearly and legibly bear the words "Blended with neutral spirits".</p> | <p>Label declaration where neutral spirit is added to blended gin</p> |
| <p>78. Brandy shall be a potable alcoholic distillate obtained by the distillation of wine in the manufacture of which no additional sugar has been used or a mixture of such distillates which has been aged and held for a period of not less than two years in small wood, may contain caramel, and be flavoured with fruit or other botanical substances or flavouring, and shall contain not less than 34.49 per centum of absolute alcohol.</p> | <p>Standard for brandy</p> |
| <p>79. No person shall make any claim with respect to the age of brandy other than for the period during which it has been held in small wood.</p> | <p>Restriction on claim of age of brandy</p> |

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- 80.** Cognac brandy or Cognac shall be brandy manufactured in the Cognac district of France in accordance with the laws of the French Republic for consumption in that country. Standard for Cognac brandy or Cognac
- 81.** Armagnac brandy or Armagnac shall be brandy manufactured in the Armagnac district of France in accordance with the laws of the French Republic for consumption in that country. Standard for Armagnac brandy or Armagnac
- 82.** Blended brandy shall be a potable alcoholic distillate obtained by the distillation of wine in the manufacture of which no additional sugar has been used, or a mixture of such distillates to which neutral spirit may be added, may contain caramel, and be flavoured with fruit or other botanical substances or flavouring, and shall contain not less than 34.49 per centum of absolute alcohol. Standard for blended brandy
- 83.** If neutral spirit is added in the manufacture of blended brandy, the label shall clearly and legibly bear the words "Blended with neutral spirit". Label declaration where neutral spirit is added to blended brandy
- 84.** Fruit brandy or (naming the fruit) brandy shall be- Standard for fruit brandy
- (a) a potable distillate obtained by the distillation of-
- (i) fruit wine or a mixture of fruit wines;
- (ii) a mixture of wine and fruit wine; or
- (iii) fermented mash of sound ripe fruit or a mixture of fruits; or
- (b) a mixture of such distillates as are referred to in paragraph (a) of this regulation.
- 85.** Liqueurs and alcoholic cordials shall be the products obtained by the mixing or distillation of grain spirit, brandy or other distilled spirits with or over fruits, flowers, leaves or other botanical substances or their juices, or with extracts derived by infusion, percolation or maceration of such botanical substances, shall have added to them during the course of manufacture, sucrose or dextrose or both in an amount that is not less than 2.5 per centum of the finished product, shall contain not less than 23 per centum of absolute alcohol by volume, and may contain neutral or artificial flavouring preparations and colour. Standard for liqueurs and alcoholic cordials
- 86.** Vodka shall be the potable alcoholic beverage obtained by the treatment of grain or other carbohydrate spirit with charcoal and shall contain not less than 34.49 per centum of absolute alcohol. Standard for vodka
- 87.** Blended vodka shall be the potable alcoholic beverage obtained by the treatment of grain or potable spirit with charcoal to which neutral spirit may be added, and shall contain not less than 34.49 per centum of absolute alcohol. Standard for blended vodka

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- 88.** If neutral spirit is added to the manufacture of blended vodka, the label shall clearly and legibly bear the words "Blended with neutral spirit". Label declaration where neutral spirit is added to blended vodka
- 89.** Wine shall be the product of alcoholic fermentation of the juices of grapes or other fruits, may have added to it yeast, concentrated grape juice, sugar, dextrose, or invert sugar, or aqueous solutions of any of the yeast foods, brandy or fruit spirit, carbon dioxide or oxygen, and may be treated, prior to filtration, with a strongly acid cation exchange resin in the sodium ion form or weak basic ion exchange resin in the hydroxyl form and, if food additives or food colours are used in the course of manufacture of wine, their use and limits shall conform to those specified in the Nineteenth Schedule. Standard for wine
- 90.** No person shall sell wine that contains more than 0.35 per centum weight by volume of volatile acid calculated as acetic acid as determined by the prescribed method. Limit for volatile acid in wine for sale
- 91.** Cider shall be the product of the alcoholic fermentation of apple juice or of apple juice to which has been added not more than 10 per centum weight by volume of sugar, dextrose or invert sugar, shall contain not less than 2.5 per centum and not more than 13 per centum by volume of absolute alcohol; and 100 millilitres of it, measured at a temperature of 20°C, shall-
- (a) contain not less than 2 grams and not more than 12 grams of total acids and not more than 8 grams of sugar calculated as dextrose sugars; and
 - (b) yield not less than 0.2 gram and not more than 0.4 gram of ash.
- 92.** No person shall sell cider that has more than 0.2 per centum weight by volume of volatile acidity calculated as acetic acid as determined by the prescribed method. Limit for volatile acid in cider for sale
- 93.** Perry shall be the product of alcoholic fermentation of pear juice or pear juice to which has been added not more than 10 per centum weight by volume of sugar, dextrose or invert sugar, shall contain not less than 2.5 per centum and not more than 13 per centum by volume of absolute alcohol; and 100 millilitres of it, measured at a temperature of 20°C, shall-
- (a) contain not less than 2 grams and not more than 12 grams of total solids and not more than 8 grams of sugar calculated as dextrose sugar; and
 - (b) yield not less than 0.2 gram and not more than 0.4 gram of ash.
- 94.** Beer, ale, stout, porter, lager beer and black beer shall be that food produced as a result of alcoholic fermentation of an extract derived from barley malt or cereal grain or starch or saccharine matter and hop derivatives in potable water with other suitable ingredients in such a manner as to possess the aroma, taste, and character commonly attributed to the relevant food; and if food additives are used in the course of their manufacture, their use and limits shall conform to those specified in the Nineteenth Schedule, and they shall contain-
- (a) absolute alcohol, not less than 3.2 per centum;
 - (b) total solids, not less than 3.5 per centum weight by volume; and
 - (c) total ash, not less than 0.12 per centum weight by volume.
- Standard for beer, etc.

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95. Near beer shall be the beer that contains, notwithstanding regulation 94, not less than 0.96 and not more than 2.0 per centum of absolute alcohol; and, 100 millilitres of light beer measured at a temperature of 20°C shall yield not less than 0.12 grams of total ash. Standard for near beer

96. Opaque beer or chibuku shall mean the potable liquid derived by the fermentation of a mash of cereal grain or vegetables or grain or vegetable products with or without the addition of sucrose and containing the mash or the residue of the mash from which it is derived in such a manner as to possess the aroma, taste, and character attributed to it, and shall contain not less than 2 per centum and not more than 6 per centum of absolute alcohol. Standard for opaque beer

Baking Powder

97. For, the purposes of regulation 98, "acid-reacting material" means one or any combinations of- Interpretation

- (a) lactic acid or its salts;
- (b) tartaric acid or its salts;
- (c) acid salts of phosphoric acid; and
- (d) acid compounds of aluminium.

98. Baking powder shall be a combination of sodium or potassium bicarbonate with an acid-reacting material; may contain starch or other neutral material and an anti-caking agent, and shall yield not less than 10 per centum of its weight of carbon dioxide as determined by the prescribed method. Standard for baking powder

Cacao Products

99. The foods referred to in regulations 99 to 109 shall be derived from cacao beans and are included within the term cacao product. Application

100. Cacao beans or cocoa beans shall be the seeds of the cocoa tree (*Theobroma cacao* L.) which may or may not have been fermented. Standard for cacao beans

101. Cacao nibs, cocoa nibs or cracked cocoa shall be the product obtained from cocoa beans which have been cleaned and freed from shells as thoroughly as is technically possible; and shall contain, calculated on the fat-free dry matter, not more than-

- (a) 4 per centum of cocoa shell;
- (b) 0.3 per centum of ash insoluble in hydrochloric acid; and
- (c) 8.0 per centum of moisture.

102. Chocolate, bitter chocolate or chocolate liquor shall be the product obtained by grinding cacao nibs, to which cocoa butter may be added; and shall contain not less than 50 per centum of cocoa butter calculated on the dry matter. Standard for chocolate

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- 103.** Cacao products may be processed with hydroxides, carbonates or bicarbonates of ammonium, sodium or potassium or hydroxides or carbonates of magnesium. Processing cacao products
- 104.** No person shall sell a cacao product that is processed with hydroxides or carbonates of magnesium unless- Labelling of certain processed cocoa products and limits for processing agents
- (a) the main panel of the label carries, immediately preceding or following the name of the cacao product and without intervening written, printed, or graphic matter, one of the following phrases: "Processed with Alkali"; "Processed with (naming the alkali)"; or "Alkali Treated"; and
- (b) the total weight of such processing agents used with each one hundred parts by weight of cacao nibs used in the preparation of such cacao products shall not be greater in neutralising value, calculated from the respective combining weights of such processing agents, than the neutralising value of three parts by weight of anhydrous potassium carbonate.
- 105.** The ash limits provided for cacao products in regulations 99 to 109 may be increased for cacao products processed with alkali as provided in regulation 104 by the amount of ash from the processing agent used. Ash limits for cacao products processed with alkali may be increased
- 106.** Sweet chocolate or sweet chocolate coating shall be chocolate mixed with sugar or with a combination of not less than 75 per centum of sugar and not more than 25 per centum of dextrose; may contain cacao butter, spices, other flavouring material (see regulations 219 to 243) and not more than a total of 1.5 per centum of emulsifying agents in the finished product (see Part IV of the Nineteenth Schedule); and shall contain, on the dry, sugar-free and fat-free basis, no greater proportion of crude fibre, total ash, or ash insoluble in hydrochloric acid respectively than does chocolate on the dry, fat-free basis. Standard for sweet chocolate
- 107.** Milk chocolate, sweet milk chocolate, milk chocolate coating or sweet milk chocolate coating shall be the cacao product obtained from chocolate by grinding with sugar or with a combination of not less than 75 per centum of sugar and not more than 25 per centum of dextrose; may contain cacao butter, spices, other flavouring material (see regulations 219 to 243) and not more than a total of 1.5 per centum of emulsifying agents in the finished product (see Part IV of the Nineteenth Schedule); and shall contain, in the finished product, not less than 12.0 per centum of milk solids of which milk fat shall be not less than 3.65 per centum by weight in the finished product. Standard for milk chocolate, etc.
- 108.** Cocoa or powdered cocoa shall be chocolate from which part of the cocoa and butter has been removed, may contain spices, flavouring materials (see regulations 219 to 243) and not more than a total of 1.5 per centum of emulsifying agents in the finished product (see Part IV of the Nineteenth Schedule), shall contain, on the dry, fat-free basis, no greater proportion of crude fibre, total ash or ash insoluble in hydrochloric acid, respectively, than does chocolate on the dry, fat-free basis, may be designated "Breakfast Cocoa", if it contains 20 per centum or more of cocoa butter, and shall be designated "Low Fat Cocoa" if it contains less than 8 per centum of cocoa butter. Standard for cocoa or powdered cocoa

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109. Cacao butter or cocoa butter shall be the fat from sound cacao beans, obtained either before or after roasting, and free from foreign odour and taste, and shall have a refractive index, at 40°C, of between 1.453 and 1.459, a saponification value of between 188 and 198, free fatty acids (expressed as per centum of oleic acid) to a maximum of 1.75, and iodine value (Wijs) of between 32 and 43. Standard for cacao butter

Coffee and Chicory

110. Green coffee, raw coffee or unroasted coffee shall be the seed of all varieties of *coffea Arabica L.*, *Liberica Hiern*, or *C. Canephora* and *C. excelsa* freed from most of its spermoderm. Standard for green coffee

111. Roasted coffee or coffee shall be roasted green coffee and shall have- Standard for roasted coffee

- (a) not more than 5 per centum of total ash;
- (b) not less than 3.4 ml and not more than 4.4 ml of N/10 acid as alkalinity of soluble ash per gram of dried roasted coffee;
- (c) not less than 25 and not more than 32 per centum of aqueous extract by the prescribed method.

112. Soluble coffee shall be the free flowing soluble coffee powder derived by dehydration of aqueous extract of freshly roasted and ground coffee having the colour, taste and flavour characteristic of coffee, shall dissolve readily in boiling water with moderate stirring, and shall contain-

- (a) not more than-
 - (i) 3.5 per centum of water;
 - (ii) 15 per centum of total ash;
- (b) not less than 2.8 per centum of caffeine content.

113. (1) Coffee-chicory mixture or coffee mixed with chicory or coffee and chicory shall contain not less than 50 per centum of coffee. Standard for coffee-chicory mixture

(2) The expression "French coffee" may be used for the coffee-chicory mixture, if it is followed by the words "mixed with chicory".

114. For the purpose of regulation 113, chicory shall mean the roasted chicory powder obtained by roasting the cleaned and dried roots of *Chicorium intybus* Linn. Standard for chicory

Food Colours

115. For the purposes of regulations 115 to 122, unless the context otherwise requires- Interpretation

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"diluent" means any substance suitable for human consumption other than a synthetic colour present in a colour mixture or preparation;

"dye" means the principal dye and associated subsidiary and isomeric dyes contained in a synthetic colour;

"mixture" means a mixture of two or more synthetic colours or a mixture of one or more diluents;

"preparation" means a preparation of one or more synthetic colours containing less than 3 per centum of dye and sold for household use;

"synthetic colour" means any organic colour, other than caramel, that is produced by chemical synthesis and has no counterpart in nature.

116. No person shall sell for use in or upon food any colour other than-

Permitted colours for sale for use in foods

- (a) natural colours, being alkanet, anatto, b-apo-8 β -carotenal, b carotene, beet red, chlorophyll, chlorophyll copper complex, cochineal, ethyl and methyl b-apo-8 β -caroteneates, orchil, paprika, riboflavin, saffron, sandalwood, sodium and potassium chlorophyllin copper, turmeric, xanthophyll capsanthin, lycopers flavoxanthin lutein cryptoxanthin nubixanthin violaxanthin rhodoxanthin cantnaxanthin or their colouring principles whether isolated from natural sources or produced synthetically, and caramel;
- (b) inorganic colours, being charcoal, carbon black, iron oxide, titanium dioxide, metallic aluminium and metallic silver; and
- (c) synthetic colours, being amaranth (colour index number 1971, 16185), brilliant blue FCF (colour index number 1971, 42090), erythrosine (colour index number 1971, 45430), fast green FCF (colour index number 1971, 42053), indanthrene blue RS (colour index number 1971, 69800), indigotine (colour index number 1971, 73015), patent blue V (colour index number 1971, 42051), ponceau 4R (colour index number 1971, 16255), quinoline yellow (colour index number 1971, 47005), sunset yellow FCF (colour index number 1971, 15985), tartrazine (colour index number 1971, 19140), wool green BS (colour index number 1971, 44090) and aluminium or calcium lakes of these colours, brilliant blue PN (colour index Number 28440), carmosine (colour index number 14720, curauamin (colour index number 75300 and red 2G colour index number 18050)

(As amended by S.I. No. 89 of 1988)

117. No person shall sell a food to which has been added any colour other than those mentioned in regulation 116 (a), (b) and (c).

Prohibition from selling food containing colours not permitted for sale for use in food



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- 118.** No person shall sell a food, other than a synthetic colour or flavouring mixture preparation, that contains, when prepared for consumption according to label direction, more than-
- (a) 300 parts per million of indigotine (colour index number 1971, 73015), tartrazine (colour index number 1971, 19140), sunset yellow FCF (colour index number 1971, 15985), or any combination of those colours;
- (b) 100 parts per million of amaranth (colour index number 1971, 16185), brilliant blue FCF (colour index number 1971, 42090), erythrosine (colour index number 1971, 45430), fast green FCF (colour index number 1971, 42053), indanthrene blue RS (colour index number 1971, 69800), patent blue V (colour index number 1971, 42051), ponceau 4R (colour index number 1971, 16255), quinoline yellow (colour index number 1971, 47005), wool green BS (colour index number 1971, 44090); or
- (c) 300 parts per million of any combination of the synthetic colours named in paragraphs (a) and (b) of this regulation and within the limits set by these paragraphs.
- 119.** No person shall sell a food to which has been added more than 35 parts per million of b-apo-8 β -carotenal or ethyl or methyl b-apo-8 β -carotenoate.
- 120.** No person shall sell a food colour for use in or upon food that contains more than-
- (a) 3 parts per million of arsenic, calculated as arsenic, as determined by the prescribed method;
- (b) 10 parts per million of lead, calculated as lead, as determined by the prescribed method; or
- (c) except in the case of iron oxide and lakes, a total of 100 parts per million of iron and copper, calculated as iron and copper; and if other heavy metals are present, the colour shall be deemed to be adulterated.
- 121.** No person shall sell a "synthetic colour" for use in or upon food unless the label carries-
- (a) the common name of the synthetic colour;
- (b) the lot number of the manufacture of the synthetic colour; and
- (c) the words "Food Colour".
- 122.** No person shall sell a mixture or preparation of food colour for use in or upon food, unless the label carries-
- (a) the lot number of the mixture or preparation;
- (b) the words "Food Colour"; and
- (c) the common names of individual colours present in the mixture or preparation.
- Spices, Dressing and Seasoning*
- 123.** Cloves, whole or ground, shall be the dried flower buds of *Eugenia caryophyllata* Thumb, and shall contain-
- (a) not more than-

Prohibition from selling food containing synthetic colour exceeding prescribed limit

Limit for carotenal or carotenoate in food for sale

Limit for metallic contaminants in food colour for sale

Labelling description for synthetic food colour for sale

Labelling description for mixture or preparation of food colour for sale

Standard for cloves



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- (i) 5.0 per centum of clove stems;
- (ii) 8.0 per centum of total ash;
- (iii) 0.5 per centum of ash insoluble in hydrochloric acid;
- (iv) 10 per centum of crude fibre;
- (b) not less than 15 per centum of volatile ether extract.

124. Ginger, whole or ground, shall be the washed and dried or decorticated and dried rhizome of *Zingiber officinale* Roscoe, and shall contain not more than 12 per centum of moisture, and, on the dry basis, not less than 11.4 per centum of cold water extractive as determined by the prescribed method, and 1.9 per centum of ash soluble in water, and may contain not more than 1.1 per centum of calcium, calculated as calcium oxide, 8 per centum of total ash, and 2.3 per centum of ash insoluble in hydrochloric acid. Standard for ginger

125. Limed ginger or bleached ginger, whole or ground, shall be the ginger coated with calcium carbonate, and shall conform to the standards provided in regulation 126, except that it shall contain not more than 2.5 per centum of calcium, calculated as calcium oxide and not more than 12 per centum of total ash. Standard for limed ginger

126. Allspice or pimento, whole or ground, shall be the whole berry *Pimento dioica*, L., Merrill and shall contain not more than 27.5 per centum of crude fibre, 4.5 per centum of total ash, and 0.4 per centum of ash insoluble in hydrochloric acid. Standard for allspice or pimento

127. Cinnamon or cassia, whole or ground, shall be the dried bark or cultivated varieties of *Cinnamomum zeylanicum* Nees, or *C. Cassia* L., from which the outer layers may have been removed, and shall contain not more than 5 per centum of ash and not more than 2 per centum of total ash insoluble in hydrochloric acid. Standard for cinnamon or cassia

128. Ceylon cinnamon shall be the whole cinnamon obtained exclusively from *Cinnamomum zeylanicum* Nees. Standard for Ceylon cinnamon

129. Mace, whole or ground, shall be the dried arillus of *Myristica fragrans* Houttyn, and shall contain not more than 7.0 per centum of crude fibre, 3.0 per centum of total ash, and 0.5 per centum of ash insoluble in hydrochloric acid, 5.0 per centum of non-volatile ethyl ether extract obtained after extraction of mace using petroleum ether and 33 per centum of the sum of the non-volatile extracts using petroleum ether and ethyl ether. Standard for mace

130. Nutmeg, whole or ground, shall be the dried seed of *Myristica fragrans* Houttyn, may have a thin coating of lime, and shall contain- Standard for nutmeg

- (a) not less than 25 per centum of non-volatile ether extract;
- (b) not more than-

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- (i) 5 per centum of total ash; and
- (ii) 0.5 per centum of ash insoluble in hydrochloric acid.

131. Black pepper, whole or ground, shall be the dried, whole berry of *Piper nigrum* L., and shall contain not more than 8.0 per centum of total ash and not more than 1.4 per centum of ash insoluble in hydrochloric acid. Standard for black pepper

132. White pepper, whole or ground, shall be the dried mature berry of *Piper nigrum* L., from which the outer coating of pericarp has been removed, and shall contain not more than 6 per centum of crude fibre, 4 per centum of total ash, and 0.2 per centum of ash insoluble in hydrochloric acid. Standard for white pepper

133. Cayenne pepper or cayenne or chillies, whole or ground, shall be the dried, ripe fruit of *Capsicum frutescens* L., *Capsicum baccatum* L., *Capsicum annum* or other small-fruited species of *Capsicum*, and shall contain-

(a) not more than-

- (i) 28 per centum of crude fibre;
- (ii) 8 per centum of total ash; and
- (iii) 1.25 per centum of ash insoluble in hydrochloric acid; and

(b) not less than 15 per centum of non-volatile ether extract.

134. Turmeric, whole or ground, shall be the dried rhizome of *Curcuma longa* L. Standard for turmeric

135. Sage, whole or ground, shall be the dried leaves of *Slavia officinalis* L., and shall contain not more than 12 per centum of stems (excluding petioles) and other foreign material. Standard for sage

136. Thyme, whole or ground, shall be the dried leaves and flowering tops of *Thymus vulgaris* L., and shall contain not more than 12.0 per centum of total ash and not more than 4.0 per centum of ash insoluble in hydrochloric acid. Standard for thyme

137. Caraway seed shall be the dried fruit of *Carum carvi* L., and shall contain not more than 8 per centum of total ash and not more than 1.5 per centum of ash insoluble in hydrochloric acid. Standard for caraway seed



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- 138.** Cardamom seed shall be the dried seed of *Elettaria cardamomum* L., and shall contain not more than 8 per centum of total ash and not more than 3 per centum of ash insoluble in hydrochloric acid. Standard for cardamom seed
- 139.** Celery shall be the dried fruit of *Apium graveolens* L., and shall contain not more than 10 per centum of total ash and not more than 2.0 per centum of ash insoluble in hydrochloric acid. Standard for celery seed
- 140.** Coriander seed shall be the dried fruit of *Coriandrum Sativum* L., and shall contain not more than 7.0 per centum of total ash and not more than 1.5 per centum of ash insoluble in hydrochloric acid. Standard for coriander seed
- 141.** Dill seed shall be the dried fruit of *Anethum graveolens* L., and shall contain not more than 10.0 per centum of total ash and not more than 3.0 per centum of ash insoluble in hydrochloric acid. Standard for dill seed
- 142.** Mustard seed shall be the seed of *Brassica Bois*, *B. hirta* Moench, *B. nigra* (L) Kuch, *B. Juncea* (L) Czern, or seed of species closely related to *B. nigra* and *B. Juncea*, a shall contain not more than 1.5 per centum of ash insoluble in hydrochloric acid and not more than 8.0 per centum of total ash, on the oil-free basis. Standard for mustard seed
- 143.** Mustard, mustard flour or ground mustard, shall be the powder made from mustard seed with the hulls largely removed and from which a portion of the fixed oil may be removed, shall contain not more than 1.5 per centum of starch and, on the oil-free basis, not more than 8.0 per centum of total ash, and shall yield not less than 0.40 per centum of volatile mustard oil as determined by the prescribed method. Standard for mustard
- 144.** Marjoram, whole or ground, shall be the dried leaves of *Majorana hortensis* Moench, may contain a small proportion of the flowering tops of the marjoram plant, and shall contain not more than 10 per centum of stems and foreign material, 16 per centum of total ash, and 4.5 per centum of ash insoluble in hydrochloric acid. Standard for marjoram
- 145.** Dried herbs, spices and curry powder shall be any combination of turmeric with spices and seasoning, shall contain not more than 5.0 per centum of salt and may contain up to 15 per centum of starch and farinacious matter. Standard for dried herbs, spices and curry powder
- 146.** Mayonnaise, mayonnaise dressing or mayonnaise salad dressing, shall be a combination of edible vegetable oil, whole egg or egg yolk in liquid, frozen or dried form and vinegar or lemon juice, may contain water, salt, a sweetening agent, spice or other seasoning (except turmeric or saffron), citric, tartaric or lactic acid, and a sequestering agent (see Part XII of the Nineteenth Schedule), and shall contain not less than 65 per centum of edible vegetable oil. Standard for mayonnaise
- 147.** French dressing shall be a combination of edible vegetable oil and vinegar or lemon juice; may contain water, salt, a sweetening agent, spice, and tomato or other seasonings; and shall contain not less than 35 per centum of edible vegetable oil. Standard for French dressing

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148. Salad dressing shall be a combination of edible vegetable oil, whole egg or egg yolk in liquid, frozen or dried form, vinegar or lemon juice, and cereal; may contain water, salt, a sweetening agent (see regulations 337 to 343), spice, or other seasoning, an emulsifying agent (see Part IV of the Nineteenth Schedule), citric, tartaric or lactic acid; and a sequestering agent (see Part XII of the Nineteenth Schedule); and shall contain not less than 35 per centum of edible vegetable oil.

Standard for salad dressing

Milk Products

149. The foods referred to in regulations 150 to 197 are included in the term "milk products".

Application

150. For the purposes of regulations 174 to 187 "pasteurised source", when used in relation to cheese, means milk, skim milk, cream, reconstituted milk powder, or reconstituted skim milk powder, butter milk or a mixture thereof that has been pasteurised by being held at a temperature of not less than 63°C for a period of not less than 30 minutes, or for a time and a temperature that is equivalent thereto in phosphatase destruction as determined by the prescribed method.

Interpretation

151. Except as provided in these Regulations, a milk product that contains a fat, other than milk fat, is adulterated.

Milk product deemed adulterated if it contains other fat

152. (1) Milk or whole milk shall be the normal mammary secretion, free from colostrum and obtained from the mammary gland of the cow, genus *Bos*, and shall contain not less than 3.2 per centum of milk fat and 8.5 per centum of milk solids-not-fat.

Standard for milk and designation of milk obtained from animals other than cow

(2) Normal mammary secretion obtained from other animals shall be designated, preceded by the origin from which such mammary secretion has been obtained; for example, "Goat milk", "Sheep milk", etc.

(As amended by S.I. No 38 of 1992)

153. Except as otherwise provided in these Regulations, the term, "pasteurised", when used in association with milk or milk products, shall be taken to refer to the process of heating all the milk-

Standard for pasteurised milk or milk products

- (a) to a temperature of not less than 63°C, and holding it at such a temperature for not less than 30 minutes and immediately thereafter reducing it to a temperature below 4°C; or
- (b) to a temperature of not less than 71.5°C and retaining it at such a temperature for at least fifteen seconds or at any other approved time-temperature combination, and immediately thereafter reducing the milk to a temperature below 4°C and conforming to the following standard:

- (i) the standard plate count determined by the prescribed method shall be not more than 50,000 per millilitre;
- (ii) the coliform count determined by the prescribed method shall be not more than 5 per millilitre and faecal coliform shall be nil per millilitre;

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- (iii) the dye-reduction time determined by the methylene blue-keeping quality test by the prescribed method shall be not less than two hours; and
- (iv) the phosphatase test determined by the prescribed method shall give a reading of not more than 10 micrograms of p-nitrophenol for one millilitre of milk.

154. Standardised milk means pasteurised milk or whole milk that has been standardised to a minimum of 3 per centum of milk fat by abstraction or addition of milk or by addition or subtraction of skim milk. Standard for standardised milk

155. Sterilised milk shall be milk which has been heat-treated and after packaging shall- Standard for sterilised milk

- (a) satisfy the keeping quality tests by the prescribed method; and
- (b) give no turbidity when subjected to the prescribed method.

156. (1) Ultra high temperature heat-treated milk (or UHT milk) shall be milk which has been subjected to a continuous flow heating process at a high temperature for a short time and which afterwards has been aseptically packaged. Standard for ultra high temperature heat-treated milk

(2) The heat treatment shall be such that the milk shall-

- (a) pass the keeping quality tests by the prescribed method;
- (b) give turbidity when subjected to the prescribed method.

157. Skimmed milk or skim milk shall be milk from which all or most of the milk fat has been removed and which contains not more than 0.1 per centum of milk fat. Standard for skimmed milk

158. (1) Partly skimmed milk (partly skim milk or partially skim milk or partially skimmed milk) shall be milk from which part of the milk fat has been removed. Standard for, and prohibition from selling without label declaration of milk fat content, partly skimmed milk

(2) No person shall sell partly skim milk unless the label thereof carries a statement of the percentage of milk fat contained therein.

159. Reconstituted milk (recombined milk) shall be the pasteurised homogenised product prepared from milk fat, non-fat-milk solids and water, with or without whole milk, may contain permitted stabilisers/emulsifiers (see Part IV of the Nineteenth Schedule), and shall have not less than 3.0 per centum of milk fat and not less than 8.5 per centum of milk solids-not-fat. Standard for reconstituted milk



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160. (1) Reconstituted milk product (recombined milk product) shall be the pasteurised homogenised milk product prepared from milk fat, non-fat milk solids, and water, with or without skim milk or whole milk; may contain permitted stabilisers/emulsifiers (see Part IV of the Nineteenth Schedule), and shall have not less than 2.0 per centum of milk fat and not less than 9.0 per centum of milk solids-not-fat.

Standard for, and prohibition from selling without certain label declaration, reconstituted milk product

(2) No person shall sell a reconstituted milk product unless the label thereof carries a statement of the percentage of milk fat and milk solids-not-fat.

161. (1) Evaporated milk (unsweetened condensed milk) shall be the liquid product obtained by the partial removal of water only from milk, shall have not less than 7.5 per centum of milk fat and not less than 17.5 per centum of milk solids-not-fat, and may contain permitted stabilisers (see Part IV of the Nineteenth Schedule).

Standard for evaporated milk and declaration of origin when manufactured from milk other than cow's milk

(2) When milk other than cow's milk is used for the manufacture of the product or any part thereof, it shall be so designated along with such origin, for example "evaporated goat milk" or "evaporated cow and goat milk" or "evaporated goat and cow milk", depending upon the proportion of the milk contents, the one in larger proportion being indicated first.

162. (1) Evaporated skimmed milk (evaporated skim milk, unsweetened condensed skimmed milk) shall be the product obtained by the partial removal of water only from skimmed milk, shall have not less than 20 per centum of milk solids, and may contain permitted stabilisers (see Part IV of the Nineteenth Schedule).

Standard for evaporated skimmed milk and declaration of origin when manufactured from milk other than cow's milk

(2) When milk other than cow's milk is used for the manufacture of the product or any part thereof, it shall be so designated along with such origin.

163. (1) Sweetened condensed milk (condensed milk) shall be the product obtained by the partial removal of water only from milk with the addition of sugars, shall have not less than 8 per centum of milk fat and not less than 20 per centum of milk solids-not-fat, and may contain permitted stabilisers (see Part IV of the Nineteenth Schedule).

Standard for sweetened condensed milk and declaration of origin when manufactured from milk other than cow's milk

(2) When milk other than cow's milk is used for the manufacture of the product or any part thereof, it shall be so designated along with such origin.

164. (1) Skimmed sweetened condensed milk (skim sweetened condensed milk) shall be the product obtained by the partial removal of water only from skimmed milk with the addition of sugars, shall have not less than 24 per centum of milk solids, and may contain permitted stabilisers (see Part IV of the Nineteenth Schedule).

Standard for skimmed sweetened condensed milk and declaration of origin when manufactured from milk other than cow's milk



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(2) When milk other than cow's milk is used for the manufacture of the product or any part thereof, it shall be so designated along with such origin.

165. (1) Whole milk powder (dried full cream milk, full cream milk powder, dry whole milk, milk powder, dried milk, dry milk, powdered milk or powdered whole milk) shall be the product obtained by the removal of water only from milk, after adjusting of fat and milk solids, if necessary, shall have not less than 26 and not more than 40 per centum of milk fat and not more than 5 per centum of water, and may contain permitted stabilisers (see Part IV of the Nineteenth Schedule) and added vitamins.

Standard for whole milk powder

(2) Permitted emulsifiers (see Part IV of the Nineteenth Schedule) may be used in the case of powders for instant use.

(3) When milk, other than cow's milk, is used for the manufacture of the product or any part thereof, it shall be so designated along with such origin.

166. (1) Partially skimmed milk powder (partly skimmed dried milk, partially skim milk powder, partly skim dried milk) shall mean the product obtained by the removal of water from partly skimmed milk, shall have not less than 1.5 and not more than 26 per centum of milk fat and not more than 5.0 per centum of water, and may contain permitted stabilisers (see Part IV of the Nineteenth Schedule).

Standard for partially skimmed milk powder and declaration of origin when manufactured from milk other than cow's milk

(2) Permitted emulsifiers (see Part IV of the Nineteenth Schedule) may be used in the case of powders for instant use.

(3) When milk, other than cow's milk, is used for the manufacture of the product or any part thereof, it shall be so designated along with such origin.

167. (1) Skimmed milk powder (skim milk powder, skim-milk powder, dry skim milk, dry skimmilk, dry skimmed milk, powdered skim milk, or powdered skimmilk, non-fat dry milk, dried skim milk) shall be the product obtained by the removal of water from skimmed milk, and shall have not more than 1.5 per centum of milk fat and not more than 5.0 per centum of water, and may contain permitted stabilisers (see Part IV of the Nineteenth Schedule).

Standard for skimmed milk powder and declaration of origin when manufactured from milk other than cow's milk

(2) Permitted emulsifiers (see Part IV of the Nineteenth Schedule) may be used in the case of powders for instant use.

(3) When milk other than cow's milk is used for the manufacture of the product or any part thereof it shall be so designated along with such origin.



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168. (1) Flavoured milk shall be the pasteurised or sterilised liquid product made from milk, milk powder, milk fat, skim milk or skim milk powder, a flavouring preparation, and a sweetening agent; may contain a food colour (see Part III of the Nineteenth Schedule), a stabilising agent (see Part IV of the Nineteenth Schedule) and salt; and shall contain not less than 3.0 per centum of milk fat.

Standard for, and labelling of, flavoured milk

(2) Flavoured milk shall be labelled (naming the flavour) milk.

169. Chocolate drink shall be the pasteurised or sterilised liquid product made from milk, skim milk, skim milk powder or milk fat, cocoa or chocolate, and a sweetening agent; may contain added lactose, a food colour (see Part III of the Nineteenth Schedule), a stabilising agent (see Part IV of the Nineteenth Schedule) or salt; and shall contain not less than 2.0 per centum of milk fat.

Standard for chocolate drink

170. Malted milk or malted milk powder shall be the product made by combining milk with the liquid separated from the mash of ground barely malt and meal, may have added to it, in such a manner as to secure the full enzyme action of the malt extract, salt and sodium carbonate or potassium carbonate, may have water removed from it, and shall then contain not less than 7.5 per centum of milk fat and not more than 3.5 per centum of water.

Standard for malted milk

171. No person shall sell milk for manufacture into dairy products, if it contains more than 2,000,000 bacteria per millilitre or 2 milligrams of sediment for 450 millilitres as determined by the prescribed method.

Limits of bacteria and sediment in milk for sale for manufacture into dairy products

172. No manufacturer of dairy products shall purchase milk for manufacture into other dairy products if he has reason to believe it does not meet the requirements of regulation 171.

Manufacturer of dairy products not to purchase milk believed to contravene regulation 171

173. (1) Flavoured skim milk shall be the product made from skim milk or skim milk powder, a flavouring preparation, and a sweetening agent; may contain food colour (see Part III of the Nineteenth Schedule), a stabilising agent (see Part IV of the Nineteenth Schedule), or salt; shall contain not more than 0.1 per centum of milk fat and not less than 8.0 per centum of milk solids-not-fat.

Standard for flavoured skim milk

(2) Flavoured skim milk shall be labelled (naming the flavour) skim milk.

174. Cheese shall be the fresh or matured non-liquid product, obtained by draining after coagulation, of milk, cream, skimmed or partly skimmed milk, butter milk or a combination of some or all of these products; and may contain salt, seasoning, special flavouring materials, food colour, a firming agent and a Class III Preservative (see Part XIX of the Nineteenth Schedule).

Standard for cheese



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175. The milk used in the manufacture of cheddar, colby, granular, Swiss and washed curd cheese may be treated with hydrogen peroxide in an amount not exceeding 500 parts per million and a suitable catalase preparation in such amount that the catalase added does not exceed 20 parts per million, if this treatment is carried out in a manner that does not alter the characteristics of the cheese.

Milk for manufacture of cheddar, etc., may be treated with hydrogen peroxide and catalase preparation

176. (1) No person shall sell any cheese, except cheddar cheese weighing 5 kilogram or more, unless the label thereof carries a statement of the variety or type of cheese.

Label declaration of cheese for sale and prohibition from sale of cheese not made from pasteurised source unless stored

(2) No person shall sell cheese that is not made from a pasteurised source, unless it has been kept, held or stored at a temperature of 1.6°C or more for 60 days or more from the date of the beginning of the manufacturing process.

177. Cheddar cheese shall be the cheese made from the matted and milled curd of milk by the cheddar process, or from milk by another procedure that produces a finished cheese having the same physical and chemical properties as the cheese produced by the cheddar process; and shall contain, on the dry basis, not less than 50 per centum of milk fat.

Standard for cheddar cheese

178. (1) The varieties or types of cheese listed in column 1 of the Third Schedule are those cheese recognised as belonging to those varieties or types, and shall contain, on the dry basis, not less than the percentage of milk fat set opposite thereto in column 2 of the said Schedule for that variety or type of cheese.

Standard for recognised varieties of cheese and hard grating cheese

(2) Hard grating cheese shall contain not more than 34 per centum of moisture.

179. Skim milk cheese shall be the cheese, other than cottage cheese, that contains, on the dry basis, not more than 15 per centum of milk fat.

Standard for skim milk cheese

180. Cream cheese shall be the cheese made from milk to which cream has been added, with or without further processing; may contain not more than 0.5 per centum of stabilising agent (see Part IV of the Nineteenth Schedule); and shall contain not more than 55 per centum of moisture and, on the dry basis, not less than 65 per centum of milk fat.

Standard for cream cheese

181. Process cheese, processed cheese, emulsified cheese, process cheese spread, processed cheese spread, and when made from a cream cheese base, process cream cheese, processed cream cheese, process cream cheese spread or processed cream cheese spread, shall be the food produced by comminuting or mixing one or more lots of cheese into a homogenous mass with the aid of emulsifying agents and a sufficient degree of heat to bring about pasteurisation in the manner described in regulation 150; and may contain water, solids derived from milk, food colour, seasoning, fruit, vegetable, relish, condiment, pH adjusting agent (see Part X of the Nineteenth Schedule) and a Class III Preservative (see Part XIC of the Nineteenth Schedule):

Standard for process cheese, etc.



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Provided that the finished product shall contain-

- (a) in the case of a product manufactured from a cream cheese base with or without seasoning or condiment-
 - (i) not more than 55 per centum of moisture; or
 - (ii) on the dry basis, not less than 65 per centum of milk fat;
- (b) in the case of a product manufactured from any cheese named in column 1 of Part I or Part II of the Third Schedule-
 - (i) not more than 43 per centum of moisture; or
 - (ii) on the dry basis, not less than 48 per centum of milk fat;
- (c) in the case of a product manufactured from any other cheese base-
 - (i) not more than 43 per centum of moisture; or
 - (ii) on the dry basis, not less than 45 per centum of milk fat.

182. For the purposes of regulation 181 and 184, "relish" means chives, dates, horseradish, olives, onions, pickles, pimentos and pineapple or any combination thereof. Relish

183. Skim milk process cheese or skim processed cheese shall conform to the standard for process cheese except that it shall contain not more than 55 per centum of water and, on the dry basis, not more than 15 per centum of milk fat. Standard for skim milk process cheese

184. Cottage cheese shall be the product, in the form of discrete curd particles, prepared from skim milk, evaporated skim milk or skim milk powder and harmless acid-producing bacterial cultures; may contain milk, cream, milk powder, rennet salt, calcium chloride, added lactose, pH adjusting agents, stabilising agents (*see* Part IV of the Nineteenth Schedule), relish, fruits or vegetables; and shall contain not more than 80 per centum of moisture. Standard for cottage cheese

185. Creamed cottage cheese shall be the cottage cheese containing cream or a mixture of cream with milk or skim milk or both, in such a quantity that the final product shall contain not less than 4.0 per centum of milk fat, and not more than 80 per centum of moisture. Standard for creamed cottage cheese

186. All dairy products used in the preparation of cottage cheese shall be from a pasteurised source. Dairy products in preparation of cottage cheese to be from pasteurised source

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187. No person shall sell cottage cheese or creamed cottage cheese that contains more than 10 coagulase positive staphylococci per gram or any faecal coliform per gram as determined by the prescribed method. Limit for coliform bacteria in cottage cheese for sale

188. Butter shall be the fatty product derived exclusively from milk; may contain permitted food colours (see Part III of the Nineteenth Schedule), permitted neutralising salts for pH adjustment (see Part X of the Nineteenth Schedule) or harmless lactic acid producing bacterial cultures; and shall have not less than 80 per centum of milk fat, not more than 2.0 per centum of milk solids-not-fat, 3.0 per centum of salt and 16 per centum of water. When obtained wholly or partly from a milk origin other than a cow, butter shall be so designated along with such a word denoting the animal from which the milk has been derived. Standard for butter and declaration of origin when obtained from origin other than cow

189. Butter oil (ghee) shall be the product obtained exclusively from butter or cream and resulting from the removal of practically the entire water and solids-not-fat content, may contain Class IV Preservatives (antioxidants) (see Part XIX of the Nineteenth Schedule), and shall have not less than 99.3 per centum of milk fat and not more than 0.5 per centum of water. Standard for butter oil

190. Cream shall be the pasteurised fatty liquid prepared from milk by separating the milk constituents in such a manner as to increase the milk fat content, shall contain not less than 35 per centum of milk fat, and not more than a total bacteria count of 100,000 per gram and not more than 10 coliform organisms per gram. Standard for cream

191. (1) Reduced cream shall be the cream with a content of less than 18 per centum of milk fat. Standard for, and labelling of fat content in, reduced cream

(2) The label of reduced cream may specify the percentage of the fat content in it.

192. (1) Ice cream shall be the pasteurised frozen food made from ice cream mix by freezing; may contain cocoa or chocolate syrup, fruit, nuts or confections; and shall contain not less than 36 per centum of solids; 10 per centum of milk fat, 171 grams of solids per litre, not more than a total bacteria count of 100,000 per gram and 10 coliform organisms per gram as determined by the prescribed method. Standard for ice cream

(2) For the purpose of regulation 192, "ice cream mix" shall be the unfrozen pasteurised combination of cream milk or other milk products and sweetened with sugar, invert sugar, honey, dextrose, glucose, corn syrup or corn syrup solids; and may contain egg, a flavouring preparation, cocoa or chocolate syrup, a food colour (see Part III of the Nineteenth Schedule), pH adjusting agents (see Part X of the Nineteenth Schedule), a stabilising agent (see Part IV of the Nineteenth Schedule), and a sequestering agent and added lactose.

193. Dairy whip shall be the pasteurised frozen preparation of milk products and other food ingredients; may contain added food colour, pH adjusting agents, a stabilising agent and a sequestering agent (see Part XII of the Nineteenth Schedule); and shall contain not less than 10 per centum of milk solids-not-fat not more than a total bacteria count of 100,000 per gram and not more than 10 coliform organisms per gram. Standard for dairy whip

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194. Milk ice shall be the pasteurised frozen preparation of milk products and other food ingredients, may contain added food colour (see Part III of the Nineteenth Schedule), pH adjusting agents (see Part X of the Nineteenth Schedule), a stabilising agent (see Part IV of the Nineteenth Schedule), and a sequestering agent (see Part XII of the Nineteenth Schedule); shall contain not less than 10 per centum of milk solids, not more than a total bacteria count of 100,000 per gram and not more than 10 coliform organisms per gram.

Standard for milk ice

195. Ice confection shall be a pasteurised frozen preparation; may contain milk products or other food ingredients, added food colour, pH adjusting agents, a stabilising agent, and a sequestering agent (see Part XII of the Nineteenth Schedule); and shall contain not more than a total bacteria count of 100,000 per gram, and not more than 10 coliform organisms per gram.

Standard for ice confection

196. Yoghurt shall be the coagulated pasteurised milk product obtained, by lactic acid fermentation through the action of *Lactobacillus bulgaricus* or *Streptococcus thermophilus* and, if desired, other suitable lactic acid producing cultures, from cream, concentrated or unconcentrated milk, partly skimmed milk or skimmed milk, with or without the addition of skimmed milk powder, concentrated whey, whey powder, cream, and sugars. Before lactic acid producing cultures are added, the mixture of dairy products to be so treated shall be pasteurised. Yoghurt may contain flavours, food colours (see Part III of the Nineteenth Schedule), stabilisers (see Part IV of the Nineteenth Schedule), pH adjusting agents (see Part X of the Nineteenth Schedule), and preservatives (see Part XI of the Nineteenth Schedule). It shall contain not less than 8.5 per centum of milk solids-not-fat and not less than 2.0 per centum of milk fat.

Standard for yoghurt

197. Non-fat-yoghurt shall be yoghurt but shall contain not more than 0.5 per centum of milk fat, and not less than 8.5 per centum of milk solids-not-fat.

Standard for non-fat yoghurt

Fats and Oils

198. Vegetable oils shall be derived from the botanical source after which they are named and indicated under the regulations for individual oils. They shall be free from foreign and rancid odour and taste. An addition of certain colours in oils (see regulations 115 to 122) is permitted for the purpose of standardising colours, as long as the added colours do not deceive or mislead the consumer by concealing damage or inferiority or by making the product appear to be more than its actual value. Natural flavours and their identical synthetic equivalents, except those which are known to represent a toxic hazard, and other approved synthetic flavours are permitted for the purpose of restoring natural flavours lost in processing or for the purpose of standardising flavours, so long as the added flavours do not deceive or mislead the consumer by concealing damage or inferiority or by making the product appear to be more than its actual value. Vegetable oils may contain permitted Class IV Preservatives (see Part XID of the Nineteenth Schedule), an antifoaming agent (see Part VIII of the Nineteenth Schedule), and crystallisation inhibitor (see Part VIII of the Nineteenth Schedule):

General standard for vegetable oils

Provided that vegetable oils shall not contain any food additives or food colour when sold as virgin oils.

199. Animal fats shall be the fats obtained entirely from animals healthy at the time of slaughter and fit for human consumption as certified by a competent authority. They may contain a Class IV Preservative (see Part XID of the Nineteenth Schedule).

General standard for animal fats

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- 200.** Refined oil or fat shall be the product that has been subjected to a process of purification and neutralisation and may be, depending upon the virgin oils, subjected to a process of de-colourisation, deodourisation and winterisation. General standard for refined oil or fat
- 201.** Arachis oil (peanut oil, groundnut oil) shall be derived from groundnuts (the seeds of *Arachis hypogaea* L.), and shall have the composition and quality factors set out in the Fourth Schedule. Standard for arachis oil
- 202.** Cottonseed oil shall be derived from the seeds of various cultivated species of *Gossypium*, and shall have the composition and quality factors set out in the Fifth Schedule. Standard for cottonseed oil
- 203.** Maize oil shall be derived from maize germ (the embryo of *Zea Mays* L.), and shall have the composition and quality factors set out in the Sixth Schedule. Standard for maize oil
- 204.** Mustardseed oil shall be derived from the seeds of the white mustard (*Sinapis alba* L. synonym: *Brassica hirta*, Moench), the brown mustard (*Brassica juncea* (L.) Czern. and Coss), and the black mustard (*Brassica nigra* (L.) Koch), and shall have the composition and quality factors set out in the Seventh Schedule. Standard for mustard-seed oil
- 205.** Olive oil shall be the oil obtained from the fruit of the olive tree (*Olea europaea* L.), and shall have the composition and quality factors set out in the Eighth Schedule. Standard for olive oil
- 206.** Rapeseed oil (turnip rape oil, colza oil, rasion oil, sarson oil, toria oil) shall be derived from the seeds of *Brassica campestris* L., *Brassica napus* L., and *Brassica tournefortii* Gouan, and shall have the composition and quality factors set out in the Ninth Schedule. Standard for rapeseed oil
- 207.** Safflowerseed oil (safflower oil, carthamus oil, kurdee oil) shall be derived from safflower seeds (the seeds of *Carthamus tinctorius* L.), and shall have the composition and quality factors set out in the Tenth Schedule. Standard for safflower seed oil
- 208.** Sesameseed oil (sesame oil, gingelly oil, bene oil, benne oil, till oil, tillie oil) shall be derived from sesame seeds (the seeds of *Sesamum indicum* L.), and shall have the composition and quality factors set out in the Eleventh Schedule. Standard for sesameseed oil
- 209.** Soya bean oil (soybean oil) shall be derived from soya beans (the seeds of *Glycine max* L., Merr), and shall have the composition and quality factors set out in the Twelfth Schedule. Standard for soya bean oil
- 210.** Sunflowerseed oil (sunflower oil) shall be derived from sunflower seeds (the seeds of *Helianthus annus* L.), and shall have the composition and quality factors set out in the Thirteenth Schedule. Standard for sunflower-seed oil

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211. Refined oil or a mixture of refined oils, shall have the composition and quality factors set out in the Fourteenth Schedule. Standard for refined oil or mixture of refined oils

212. If a refined oil is obtained from a single oil, it shall, in addition to the trade name, if any, be so stated on the label; for example, "Refined sunflowerseed oil"; and if it is entirely constituted of vegetable oils, a declaration that it is "a vegetable oil product" shall be suitably made on the label. Labelling of refined vegetable oil

213. No person shall sell a mixture of animal fat and vegetable fat unless the label of that mixture carries the declaration "Contains animal fat." Label declaration of mixture of animal and vegetable fats for sale

214. Lard shall be the fat rendered from fresh, clean, sound fatty tissues from swine (*Sus scrofa*). The tissue shall not include bones, detached skin, head skin, ears, tails, organs, windpipes, large blood vessels, scrap fat, skimmings, settlings, pressings and the like, and shall reasonably be free from muscle tissues, and blood. Lard shall have its characteristic odour and taste and be free from foreign odours and tastes and, when subjected to processing may, as long as it is so declared on the label in a descending order of proportion, contain refined lard, lard stearine and hydrogenated lard, and shall have the composition and quality factors set out in the Fifteenth Schedule. Standard for lard

215. Edible tallow (dripping) shall be the product obtained by rendering the clean, sound, fatty tissues (including trimming and cutting fats), attendant muscles and bones of bovine animals (*Bos taurus*) or sheep (*Ovis aries*). It shall have its characteristic odour and taste, and be free from foreign odour and tastes. It shall have the composition and quality factors set out in the Sixteenth Schedule. Standard for edible tallow

216. Shortening, other than butter or lard, shall be the food prepared from fats, oils or a combination of fats and oils; may be processed by hydrogenation; and may contain a Class IV Preservative (see Part XIX of the Nineteenth Schedule), an anti-foaming agent (see Part VIII of the Nineteenth Schedule), stearly, monoglyceridyl citrate and other emulsifying agents (see Part IV of the Nineteenth Schedule), the use and limits of all of which shall be as prescribed in their respective schedules. Standard for shortening

217. Margarine shall mean the food generally known as margarine, being an emulsion of edible oils and fats, with water or skimmed milk or other substances with or without the addition of colouring matter capable of being used for the same purpose as butter. It may contain preservatives (see Part XI of the Nineteenth Schedule) and emulsifying agents (see part IV of the Nineteenth Schedule); and shall contain not less than 80 per centum of fat, not more than 10 per centum of milk fat, not more than 16 per centum of water, not less than 2 per centum of sesame oil or, alternatively, 0.1 per centum of potato, wheat or corn starch, not less than 26 and not more than 33 international units per gram of vitamin A when determined by the prescribed method, and not less than 3 and not more than 4 international units of vitamin D per gram when determined by the prescribed method. Standard for margarine

218. The label of the container in which margarine is packed shall, on the principal display panel, legibly and very conspicuously bear the word, 'MARGARINE'. Labelling of container of margarine

Flavouring Preparations

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219. (Naming the flavour) extract or (naming the flavour) essence shall be a solution in ethyl alcohol, glycerol, propylene glycol or any combination of these, of sapid or odorous principles, or both, derived from the plant after which the flavouring extract or essence is named, and may contain water, a sweetening agent (see regulations 337 to 343), food colour (see Part III of the Nineteenth Schedule), and a Class II Preservative or a Class IV Preservative (see Parts XIB and XID of the Nineteenth Schedule).

Standard for flavour extract or essence

220. Artificial (naming the flavour) extract, artificial (naming the flavour) essence, imitation (naming the flavour) extract or imitation (naming the flavour) essence, shall be a flavouring extract or essence except that the flavouring principles shall be derived in whole, or in part, from sources other than the aromatic plant after which it is named; and if such extract or essence is defined in these Regulations, the flavouring strength of the artificial or imitation extract or essence shall be not less than that of the extract or essence.

Standard for artificial or imitation extract or essence

221. (Naming the flavour) flavour shall be a preparation, other than a flavouring preparation described in regulation 219, of sapid or odorous principles or both, derived from the aromatic plant after which the flavour is named; may contain a sweetening agent (see regulations 337 to 343), food colour (see Part III of the Nineteenth Schedule), Class II Preservative (see Part XIB of the Nineteenth Schedule), Class IV Preservative (see Part XID of the Nineteenth Schedule), a stabilising agent (see Part IV of the Nineteenth Schedule), an emulsifying agent (see Part IV of the Nineteenth Schedule), or a density adjusting agent (see Part VIII of the Nineteenth Schedule); and may have added to it water, ethyl alcohol, glycerol, propylene glycol and edible vegetable oil.

Standard for flavour

222. Artificial (naming the flavour) flavour or imitation (naming the flavour) flavour, shall be a flavour, except that the flavouring principles may be derived in whole or in part from sources other than the aromatic plant after which it is named; and if such a flavour is defined in these Regulations, the flavouring strength of the artificial or imitation flavour shall be not less than that of the flavour.

Standard for artificial or imitation flavour

223. Notwithstanding regulations 219 and 221, a (naming the fruit) extract naturally fortified, (naming the fruit) essence naturally fortified or (naming the fruit) flavour naturally fortified shall be an extract, essence or flavour derived from the named fruit to which other natural extractives have been added, and 51 per centum of the flavouring strength shall be derived from the named fruit.

Standard for fruit extract or essence naturally fortified

224. On any label of or in any advertisement for any artificial or imitation flavouring preparation the word "artificial" or "imitation" shall be an integral part of the name of such flavouring preparation and in identical type, and identically displayed, with such name.

"Artificial" or "imitation" to be integral part of name in labelling of or advertisement for artificial flavouring preparation

225. Almond essence, almond extract or almond flavour shall be the essence, extract or flavour derived from the kernels of the bitter almond, apricot or peach, and shall contain not less than 1.0 per centum by volume of volatile oil, and not more than one part per million of hydrocyanic acid.

Standard for almond essence, extract or flavour

226. Anise essence, anise extract or anise flavour shall be the essence, extract or flavour derived from natural or terpeneless oil of anise, and shall correspond, in flavouring strength, to an alcoholic solution containing not less than 3.0 per centum by volume of oil of anise, the volatile oil obtained from the fruit of *Pimpinella anisum* L., or *Illicium verum* Hook.

Standard for anise essence, extract or flavour



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227. Celery seed essence, celery seed extract or celery seed flavour shall be the essence, extract or flavour derived from celery seed, or oil of celery seed, or terpeneless oil of celery seed, and shall correspond, in flavouring strength, to an alcoholic solution containing not less than 0.3 per centum by volume of volatile oil of celery seed. Standard for celery seed essence, extract or flavour

228. Cassia essence, cassia extract, cassia cinnamon essence, cassia cinnamon extract, cassia flavour or cassia cinnamon flavour shall be the essence, extract or flavour derived from natural or terpeneless oil, obtained from leaves and twigs of *Cinnamomum cassia* L., containing not less than 80 per centum of cinnamic aldehyde, and shall correspond, in flavouring strength, to an alcoholic solution containing not less than 2.0 per centum by volume of volatile oil of cassia cinnamon. Standard for cassia essence, extract, cinnamon essence, extract, flavour, or cinnamon flavour

229. Ceylon cinnamon essence, Ceylon cinnamon extract or Ceylon cinnamon flavour shall be the essence, extract or flavour derived from the volatile oil obtained from the bark of *Cinnamomum zeylanicum* Nees, and shall contain not less than 2.0 per centum by volume of oil of Ceylon cinnamon and 65.0 per centum of cinnamic aldehyde and not more than 10.0 per centum of eugenol. Standard for Ceylon cinnamon essence, extract or flavour

230. Clove essence, clove extract or clove flavour shall be the essence, extract or flavour derived from the volatile oil obtained from clove buds, and shall contain not less than 2.0 per centum by volume of oil of clove. Standard for clove essence, extract or flavour

231. Ginger essence, ginger extract or ginger flavour shall be the essence, extract or flavour derived from ginger, and shall contain, in 100 millilitres, the alcohol-soluble matter from not less than 20 grams of ginger. Standard for ginger essence, extract or flavour

232. Lemon essence, lemon extract or lemon flavour shall be the essence, extract or flavour prepared from natural or terpeneless oil of lemon or from lemon peel, and shall contain not less than 0.2 per centum of citral derived from oil of lemon. Standard for lemon essence, extract or flavour

233. Nutmeg essence, nutmeg extract or nutmeg flavour shall be the essence, extract or flavour prepared from natural or terpeneless oil of nutmeg, and shall correspond, in flavouring strength, to an alcoholic solution containing not less than 2.0 per centum by volume of oil of nutmeg. Standard for nutmeg essence, extract or flavour

234. Orange essence, orange extract or orange flavour shall be the essence, extract or flavour prepared from sweet orange peel, oil or sweet orange or terpeneless oil of sweet orange, and shall correspond, in flavouring strength, to an alcoholic solution containing 5.0 per centum by volume of oil of sweet orange, the volatile oil obtained from the fresh peel of *Citrus aurantium* L., that shall have an optical rotation, at a temperature of 25°C, of not less than +95°, using a tube 100 millimetres in length. Standard for orange essence, extract or flavour

235. Peppermint essence, peppermint extract or peppermint flavour shall be the essence, extract or flavour prepared from peppermint or oil of peppermint, obtained from the leaves and flowering tops of *Mentha piperita* L., or of *Mentha arvensis* De. C., var. *piperascens* Holmes, and shall correspond, in flavouring strength, to an alcoholic solution of not less than 3 per centum by volume of oil of peppermint, containing not less than 50 per centum of free and combined menthol. Standard for peppermint essence, extract or flavour

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- 236.** Rose essence, rose extract or rose flavour shall be the essence, extract or flavour prepared from the volatile oil obtained from the petals of rose and shall contain not less than 0.4 per centum by volume of attar of rose. Standard for rose essence, extract or flavour
- 237.** Savory essence, savory extract or savory flavour shall be the essence, extract or flavour prepared from savory or oil of savory, and shall contain not less than 0.35 per centum by volume of oil of savory. Standard for savory essence, extract or flavour
- 238.** Spearmint essence, spearmint extract or spearmint flavour shall be the essence, extract or flavour prepared from spearmint or from oil of spearmint, obtained from the leaves and flowering tops of *Mentha spicata* L., and *Mentha cardiaca*, and shall contain not less than 3.0 per centum by volume of oil of spearmint. Standard for spearmint essence, extract or flavour
- 239.** Sweet basil essence, sweet basil extract or sweet basil flavour shall be the essence, extract or flavour prepared from sweet basil or from oil of sweet basil, obtained from the leaves and tops of *Ocimum basilicum* L., and shall contain not less than 0.1 per centum by volume of oil of sweet basil. Standard for sweet basil essence, extract or flavour
- 240.** Sweet marjoram essence, sweet marjoram extract or sweet marjoram flavour or marjoram flavour shall be the essence, extract or flavour prepared from marjoram or from oil of marjoram, and shall contain not less than 1.0 per centum by volume of oil of marjoram. Standard for sweet marjoram essence, extract or flavour
- 241.** Thyme essence, thyme extract or thyme flavour shall be the essence, extract or flavour prepared from thyme or from oil of thyme, and shall contain not less than 0.2 per centum by volume of oil of thyme. Standard for thyme essence, extract or flavour
- 242.** Vanilla essence, vanilla extract or vanilla flavour shall be the essence, extract or flavour prepared from the vanilla bean, the dried, cured fruit of *Vanilla planifolia* Andrews, or *Vanilla tahitensis* J. W. Moore, shall contain, in 100 millilitres, regardless of the method of extraction, at least the quantity of soluble substances in their natural proportions that are extractable by the prescribed method from not less than 10 grams of vanilla beans, where such beans contain 25 per centum or less of moisture, and not less than 7.5 grams of vanilla beans, on the moisture-free basis, where such beans contain more than 25 per centum of moisture; and shall, notwithstanding regulations 219 and 221, contain no added colour. Standard for vanilla essence, extract or flavour
- 243.** Wintergreen essence, wintergreen extract or wintergreen flavour shall be the essence, extract or flavour prepared from oil of wintergreen, the volatile oil distilled from the leaves of *Gaultheria procumbens* L., or from *Betula lenta* L., and shall contain not less than 3.0 per centum by volume of oil of wintergreen. Standard for wintergreen essence, extract or flavour

Fruits, Vegetables, and their Products

- 244.** For the purposes of regulations 245 to 281, unless the context otherwise requires- Interpretation

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"acid ingredient" means citric, malic, tartaric or lactic acid; lemon or lime juice; or vinegar;

"fruit juice" means the unfermented liquid expressed from sound, ripe, fresh fruit, and includes any such liquid that is heat-treated and chilled;

"sweetening ingredient" means sugar, invert sugar, dextrose, in dry or liquid form, or a combination of not less than 75 per centum of sugar, invert sugar or dextrose and not more than 25 per centum of liquid glucose, calculated on the dry basis.

245. Canned (naming the vegetable) shall be the product obtained by heat processing in an appropriate manner before or after being sealed in a container so as to prevent spoilage of the named fresh vegetable after it has been properly prepared, and it may contain sugar, invert sugar or dextrose, in a dry or liquid form, salt, a firming agent (see Part VI of the Nineteenth Schedule), if declared by name on the label, and other suitable ingredients which are not food additives, or food colours as specified in the Nineteenth Schedule or, if the ingredients are food additives, their use shall conform to the limits specified in the Nineteenth Schedule and, if they are food colours, their use and limits shall be as prescribed in Part I of the Seventeenth Schedule.

Standard for canned vegetable

246. Frozen (naming the vegetable) shall be the product obtained by freezing the named fresh vegetable after it has been properly prepared and subjected to a blanching treatment and may contain added sugar, suitable flavourings and salt, if such addition is declared on the label.

Standard for frozen vegetable

247. Canned tomatoes shall be the product prepared from washed ripened tomatoes conforming to the characteristics of the fruit of *Lycopersicon esculentum* P. Mill, of red or reddish varieties (cultivars) which are clean, substantially sound and packed with or without a suitable liquid packing medium (other than added water) and spice or other seasoning ingredients appropriate to the product and processed by heat, in an appropriate manner, before or after being sealed in a container, so as to prevent spoilage. The tomatoes shall have had the stems and calices removed and, except where the internal core is insignificant as to texture and appearance, have been cored, and may contain sugar, invert sugar or dextrose, in a dry form, salt, a firming agent, namely, calcium chloride or other suitable calcium salts (see Part VI of the Nineteenth Schedule), and citric, acetic, lactic, malic or tartaric acid, and shall contain not less than 50 per centum of drained tomatoes as determined by the prescribed method.

Standard for canned tomatoes

248. The label of canned tomatoes shall carry a declaration of added salt and firming agent, and the name of added ingredients, such as citric or acetic acid, sugar, invert sugar, dextrose, etc.

Added salt and firming agent in canned tomatoes to be declared on label

249. Tomato juice shall be the pasteurised liquid containing a substantial portion of fine tomato pulp, extracted from sound, ripe, whole tomatoes from which all stems and skins, seeds or other coarse or hard objectionable portions have been removed, and may contain salt, and shall contain not less than 6 per centum of tomato solids, determined by the refractometer at 20°C, uncorrected for acidity and read as degree brix on the International Sucrose Scale.

Standard for tomato juice

250. The label for tomato juice shall carry a declaration of added salt.

Added salt in tomato juice to be declared on label



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251. Tomato paste shall be the product made by evaporating a portion of the water from tomato juice obtained from sound tomato trimmings, may contain salt and Class II Preservatives (see Part XIB of the Nineteenth Schedule), and shall contain not less than 24 per centum of tomato solids as determined by the prescribed method. Standard for tomato paste

252. Concentrated tomato paste shall be the tomato paste containing not less than 32 per centum of tomato solids as determined by the prescribed method. Standard for concentrated tomato paste

(As amended by S.I. No 38 of 1992)

253. Tomato pulp (tomato puree) shall be the heat-processed product made from concentrated tomato juice from whole, ripe tomatoes or sound tomato trimmings, and may contain salt and a Class II Preservative (see Part XIB of the Nineteenth Schedule). It shall contain not less than 8 per centum and not more than 24 per centum of tomato solids. Standard for tomato pulp

254. The label for tomato paste, tomato pulp, tomato puree or concentrated tomato paste, shall carry a declaration of added salt. Added salt in tomato paste, tomato pulp, tomato puree or concentrated tomato paste to be declared on label

255. Tomato catsup, catsup, ketchup, tomato relish or tomato sauce or products whose common names are variants of the word catsup shall be the heat-processed product made from the juice of red-ripe tomatoes or sound tomato trimmings from which skins and seeds have been removed; shall contain vinegar, salt and seasoning; sugar, invert sugar, glucose or dextrose, in a dry or liquid form; and not less than 6 per centum of tomato solids; and may contain a Class II Preservative (see Part XIB of the Nineteenth Schedule), and a food colour (see Part III of the Nineteenth Schedule). Standard for tomato catsup, etc.

256. Where tomato trimmings or tomato products made from tomato trimmings are used in the manufacture of a catsup, the label shall carry a declaration of the use of such materials. Label declaration of catsup manufactured from tomato trimmings or products therefrom

257. No person shall sell canned tomatoes, tomato juice or a vegetable juice that contains mould filaments in more than 25 per centum of the microscopic fields when examined by the prescribed method. Limit for mould filaments in canned tomatoes, tomato juice or vegetable juice for sale

258. No person shall sell tomato puree, tomato paste, tomato pulp or tomato catsup that contains mould filaments in more than 50 per centum of the microscopic fields when examined by the prescribed method. Limit for mould filaments in tomato puree, tomato paste, tomato pulp or tomato catsup for sale



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| <p>259. Pickles or relishes shall be the product prepared from vegetables or fruit with salt and vinegar, and may contain spices, seasonings, sugar, invert sugar, dextrose or glucose, in a dry or liquid form, a food colour (see Part III of the Nineteenth Schedule), a Class II Preservative (see Part XIB of the Nineteenth Schedule), a firming agent (see Part VI of the Nineteenth Schedule), polyoxyethylene (20) sorbitan monooleate in an amount not exceeding 0.05 per centum, lactic acid, vegetable oils, and in the case of relishes and mustard pickles, an approved thickening agent (see Part IV of the Nineteenth Schedule).</p> | <p>Standard for pickles or relishes</p> |
| <p>260. Canned (naming the fruit) shall be the product obtained from the named fresh fruit after it has been properly prepared and subsequently processed by heat in an appropriate manner, before or after being sealed in a container, so as to prevent spoilage, and may contain sugar, invert sugar, dextrose or glucose, in a dry or liquid form, and food additives whose use and limits shall conform to those specified in the Nineteenth Schedule and, if they are food colours, their use and limits shall be as prescribed in Part II of the Seventeenth Schedule.</p> | <p>Standard for canned fruits</p> |
| <p>261. Frozen (naming the fruit) shall be the product obtained by freezing the named fresh fruit after it has been properly prepared, and may contain sugar, invert sugar, dextrose or glucose, in a dry or liquid form, ascorbic acid, to prevent discolouration, and in the case of frozen sliced apples, a firming agent (see Part VI of the Nineteenth Schedule), and sulphurous acid.</p> | <p>Standard for frozen fruits</p> |
| <p>262. The label of canned or frozen fruit packed in syrup shall be so declared.</p> | <p>Label declaration of canned or frozen fruit packed in syrup</p> |
| <p>263. The label of frozen fruit packed in sugar, invert sugar, dextrose or glucose, in a dry form, shall carry a declaration of each sweetening ingredient added.</p> | <p>Sweetening ingredient in frozen fruit packed in sugar, invert sugar dextrose or glucose to be declared on label</p> |
| <p>264. The label of frozen fruit containing added ascorbic acid shall carry the statement "Contains ascorbic acid to prevent discolouration".</p> | <p>Label declaration of frozen fruit containing added ascorbic acid</p> |
| <p>265. The label of canned or frozen fruit shall carry a declaration of any food additives.</p> | <p>Food additives on canned or frozen fruit to be declared on label</p> |
| <p>266. (Naming the fruit) juice shall be the juice obtained from the named fruit and may contain sugar, invert sugar or dextrose, in a dry form, and a Class II Preservative (see Part XIB of the Nineteenth Schedule).</p> | <p>Standard for fruit juice.</p> |
| <p>267. Notwithstanding regulation 266, the fruit juice prepared from any fruit named in any regulations 268 to 274 shall conform to the standard prescribed for that fruit juice in that regulation.</p> | <p>General standard for fruit juices</p> |



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268. Apple juice shall be the fruit juice obtained from apples, may contain a Class II Preservative (see Part XIB of the Nineteenth Schedule) and ascorbic acid, shall have not less than 10 per centum of soluble solids as determined by the refractometer at 20°C and read as degrees brix on the international sucrose scales, and not exceeding 0.4 gram per kilogram of volatile acid expressed as acetic acid. Standard for apple juice

269. Grape juice shall be the fruit juice obtained from grapes, may contain citric acid, sugar, invert sugar or dextrose in a dry form, a Class II Preservative (see Part XIB of the Nineteenth Schedule), and ascorbic acid, shall have not less than 15 per centum of soluble solids as determined by the refractometer at 20°C and read as degrees brix on the international sucrose scales, and not exceeding 0.4 gram per kilogram of volatile acid expressed as acetic acid. Standard for grape juice

270. Grapefruit juice shall be the fruit juice obtained from grapefruit, may contain sugar, invert sugar or dextrose in a dry form and a Class II Preservative (see Part XIB of the Nineteenth Schedule), and shall contain, exclusive of added sweetening agents, not less than 9 per centum of soluble solids as determined by the refractometer at 20°C and read as degrees brix on the international sucrose scales. Standard for grapefruit juice

271. Lemon juice shall be the fruit juice prepared from lemons, shall contain not less than 6 per centum of soluble lemon solids as determined by the refractometer at 20°C and read as degrees brix on the international sucrose scales, and the total titratable acidity of lemon juice shall be not less than 4.5 per centum expressed as anhydrous citric acid. Standard for lemon juice

272. Lime juice or lime fruit juice shall be the fruit juice obtained from limes, may contain sugar, invert sugar or dextrose in a dry form and a Class II Preservative (see Part XIB of the Nineteenth Schedule), shall contain, exclusive of added sweetening agents, soluble solid contents of not less than 6.0 per centum as determined by the refractometer at 20°C and read as degrees brix on the international sucrose scales, and the total titratable acidity of lime juice shall be not less than 4.5 per centum expressed as anhydrous citric acid. Standard for lime juice or lime fruit juice

273. Orange juice shall be the fruit juice obtained from oranges; shall contain, exclusive of added sweetening agents, not less than 10 per centum of soluble solids as determined by the refractometer at 20°C on the international sucrose scales; may contain sugar, invert sugar or dextrose, in a dry form, and a Class II Preservative (see Part XIB of the Nineteenth Schedule); have the pulp and natural orange oil content adjusted in accordance with good manufacturing practice; and may have added the natural orange juice flavour lost during processing. Standard for orange juice

274. Pineapple juice shall be the fruit juice obtained from pineapple; may contain sugar, invert sugar or dextrose, in a dry form, a Class II Preservative (see Part XIB of the Nineteenth Schedule), and ascorbic acid; and shall contain, exclusive of sweetening agents, not less than 10 per centum of soluble solids as determined by the refractometer at 20°C on the international sucrose scales. Standard for pineapple juice

275. Carbonated (naming the fruit) juice or sparkling (naming the fruit) juice shall be the named fruit juice impregnated with carbon dioxide under pressure and shall contain a minimum of 3.0 per centum of the fruit obtained from the named fruit. Standard for carbonated fruit juice

(As amended by S.I. No 40 of 1992)

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276. Concentrated (naming the fruit) juice shall be fruit juice that has been concentrated to at least one-half its original volume by the removal of water, and may contain ascorbic acid, food colour (see Part III of the Nineteenth Schedule), sugar, invert sugar or dextrose, in a dry form, and a Class II Preservative (see Part XIB of the Nineteenth Schedule). Standard for concentrated fruit juice

277. (1) (Naming the fruit) jam shall be the product obtained by processing fruit, fruit pulp, or canned fruit, by boiling to a suitable consistency with water and a sweetening ingredient; shall contain not less than 40 per centum of the named fruit and 65 per centum of water soluble solids as estimated by the refractometer; and may contain such amount of added pectin, or acid ingredients, as reasonably compensates for any deficiency in the natural pectin content or acidity of the named fruit, a Class II Preservative (see Part XIB of the Nineteenth Schedule) and an antifoaming agent (see Part VIII of the Nineteenth Schedule). Standard for fruit jam

(2) In this regulation, "fruit" includes ginger, rhubarb and marrow.

278. (Naming the citrus fruit) marmalade shall be the product obtained by processing a combination of peel, pulp or juice of the named citrus fruit by boiling with water and a sweetening ingredient, shall contain not less than 65 per centum of water soluble solids as estimated by the refractometer, and may contain such amount of acid ingredients as reasonably compensates for any deficiency in the natural acidity of the named citrus fruit, a pH adjusting agent (see Part X of the Nineteenth Schedule), an antifoaming agent (see Part VIII of the Nineteenth Schedule), and pectin. Standard for citrus fruit marmalade

279. (Naming the fruit) jelly shall be the gelatinous food, free of seeds and pulp, made from the named fruit, the juice of the named fruit or a concentrate of the juice of the named fruit, which has been boiled with water and a sweetening ingredient; shall contain not less than 65 per centum of water soluble solids as estimated by the refractometer; and may contain such amount of added pectin, or acid ingredients as reasonably compensates for any deficiency of the natural pectin content or acidity of the named fruit, a pH adjusting agent (see Part X of the Nineteenth Schedule), and an antifoaming agent (see Part VIII of the Nineteenth Schedule). Standard for fruit jelly

280. Lemon curd shall be the product manufactured by boiling together, cornflour or wheat flour, margarine or butter, egg, citric acid, oil of lemon, food colour (see Part III of the Nineteenth Schedule) and water, and shall contain not less than 65 per centum of soluble solids. Standard for lemon curd

281. Mincemeat shall be the product manufactured by mixing together, without heating, apples, dried fruits, mixed peel, sugar, suet, acetic acid, flavouring preparations and salt, and shall contain not less than 65 per centum of soluble solids. Standard for mincemeat

Gelling Agents

282. Gelatin or edible gelatin shall be the protein produced by partial hydrolysis of collagen in skin, tendons, ligaments and bones of animals; may contain sulphurous acid or its salts; shall dissolve completely in warm water to get a clear translucent colloidal solution which sets to a jelly when cooled to and maintained at 15.5° for two hours; and shall contain, on the dry basis, not more than 2.0 per centum of total ash, less than 10,000 total plate count per gram and a nil coliform count in 1.0 gram. Standard for gelatin

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283. Agar or agar-agar shall be the dried, purified, mucilaginous food obtained by aqueous extraction of seaweeds of the species *Gelidium*, shall contain, on the dry basis, not more than 7.0 per centum of total ash and 1.0 per centum of ash insoluble in hydrochloric acid and shall yield, with water, a practically colourless and tasteless solution.

Standard for agar

Grain and Bakery Products

284. Flour shall be the food prepared by the grinding of cleaned milling grades of wheat, and bolting through cloth having openings not larger than those of woven nylon or wire cloth having an aperture of 180 microns, and free from bran coat and germ to such an extent that it does not exceed 1.20 per centum of ash, calculated on a moisture-free basis. It shall have not more than 15.0 per centum of moisture, and may contain malted wheat flour, malted barley flour in an amount not exceeding 1.0 per centum of the weight of the flour, and food additives the use and limits of which shall conform to those specified in regulations 325 to 334.

Standard for flour

285. Enriched flour shall be the flour to which has been added thiamine, riboflavin, nicotinic acid and iron in a harmless carrier and in such amounts that one kilogram of enriched flour shall contain not less than 4.5 milligrams and not more than 5.5 milligrams of thiamine, not less than 2.7 milligrams and not more than 3.3 milligrams of riboflavin, not less than 35.5 milligrams and not more than 44.4 milligrams of nicotinic acid or niacinamide, not less than 28.9 milligrams and not more than 36.7 milligrams of iron, and may contain calcium carbonate in an amount that will provide in one kilogram of enriched flour not less than 1,111 milligrams and not more than 1,444 milligrams of calcium.

Standard for enriched flour

286. Whole wheat meal (whole wheat flour) shall be the food prepared by the grinding and bolting of cleaned, milling grades of wheat from which a part of the outer bran or epidermis layer may have been separated; shall contain the natural constituents of the wheat berry to the extent of not less than 95 per centum of the total weight of the wheat from which it is milled, have not less than 1.25 per centum and not more than 2.25 per centum of ash, calculated on a moisture-free basis, and not more than 15.0 per centum of moisture and such a degree of fineness that not less than 90 per centum of it bolts freely through a 2,380 micron sieve, and less than 50 per centum of it through an 840 micron sieve, and may contain malted wheat flour, malted barley flour in an amount not exceeding 1.0 per per centum of the flour, and food additives the use and limits of which shall conform to those specified in regulations 325 to 334.

Standard for whole wheat meal

287. Crushed wheat shall be the food prepared by so crushing clean wheat that 40 per centum or more of it passes through a 2,380 micron sieve and less than 50 per centum of it through an 840 micron sieve, the proportions of the natural constituents of such wheat, other than moisture, remaining unaltered, and shall have not less than 1.25 per centum and not more than 2.25 per centum of ash, calculated on a moisture-free basis. It shall have not more than 15.5 per centum of moisture.

Standard for crushed wheat

288. Cracked wheat shall be the food prepared by so cracking or cutting cleaned wheat into angular fragments that not less than 90 per centum of it passes through a 2,380 micron sieve and not more than 20 per centum of it through an 840 micron sieve, the proportions of the natural constituents of such wheat, other than moisture, remaining unaltered and shall have not less than 1.25 per centum and not more than 2.25 per centum of ash, calculated on a moisture-free basis. It shall have not more than 15.5 per centum of moisture.

Standard for cracked wheat



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289. Self-raising flour shall be an intimate mixture of flour and sodium bicarbonate and one or more of the acid reacting substances, namely, monocalcium phosphate, sodium acid pyrophosphate, or sodium aluminium phosphate, may be seasoned with common salt, and shall evolve not less than 0.4 per centum of carbon dioxide when tested by the prescribed method.

Standard for self-raising flour

290. Maize roller meal (mealie meal) shall be the product obtained by grinding and bolting cleaned milling grades of maize such that not less than 95 per centum of it passes through a mesh of 800 microns aperture, and shall have not more than 15.0 per centum of moisture, not more than 4.5 per centum of maize oil, not more than 2.0 per centum of crude fibre, not more than 1.5 per centum of total ash, not more than 0.3 per centum of ash insoluble in hydrochloric acid and not more than 0.1 per centum alcoholic acid expressed as sulphuric acid.

Standard for maize roller meal

(As amended by S.I. Nos. 37 and 93 of 1992)

291. Maize breakfast food (degerminated maize meal) shall be the product obtained by grinding and bolting cleaned milling grades of degerminated maize from which a portion of the bran and germ has been removed and not less than 95 per centum of which passes through a wire mesh sieve of 800 microns aperture, and shall have not more than 15.0 per centum of moisture, not more than 3.0 per centum of maize oil, not more than 1.5 per centum of crude fibre, not more than 1.0 per centum of total ash, not more than 0.2 per centum of ash insoluble in hydrochloric acid and not more than 0.1 per centum alcoholic acid expressed as sulphuric acid.

Standard for maize breakfast food

(As amended by S.I. Nos. 39 and 93 of 1992)

292. Maize flour shall be the product obtained by grinding and bolting cleaned milling grades of maize such that not less than 95 per centum of it passes through a wire mesh of 180 microns aperture, and shall have not more than 15.0 per centum of moisture, not more than 3.0 per centum of maize oil, not more than 1.0 per centum of crude fibre, not more than 1.0 per centum of total ash and not more than 0.2 per centum of ash insoluble in hydrochloric acid.

Standard for maize flour

293. Maize rice shall be the product obtained by grinding and bolting cleaned milling grades of maize such that not less than 95 per centum of it passes through a mesh of 2,380 microns and not more than 10 per centum of it passes through a mesh of 1,800 microns, and shall have not more than 15.0 per centum of moisture, not more than 1.5 per centum of maize oil, not more than 1.0 per centum of crude fibre, not more than 1.0 per centum of total ash, and not more than 0.2 per centum of ash insoluble in hydrochloric acid; and the main panel of the label shall carry the words, "an entirely maize product".

Standard and label declaration for maize rice

294. Maize samp shall be the product obtained by degerminating cleaned milling grades of maize and removal of bran and germ such that not more than 10 per centum of it passes through a mesh of 2,380 microns and shall have not more than 15.0 per centum of moisture, not more than 2.0 per centum of maize oil, not more than 1.0 per centum of crude fibre, not more than 0.5 per centum of total ash, and not more than 0.1 per centum of acid insoluble ash.

Standard for maize samp

295. Rice shall be the dehulled, or dehulled and polished seed of the rice plant (*Oryz sativa*), and may contain glucose.

Standard for rice

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296. Bread or white bread shall be the food made by baking a yeast-leavened dough prepared with flour and water; and may contain salt, shortening, lard, butter or margarine, milk or milk product, whole egg, egg-white, egg-yolk (fresh, dried or frozen), a sweetening agent, malt syrup, malt extract or malt flour, inactive dried yeast of the genus *Saccharomyces cerevisiae* in an amount not greater than 2 parts by weight for each 100 parts of flour used, oatmeal, maize flour, cassava flour, potato flour, rice flour, soya-bean flour, barley flour, vegetable flours, maize starch, cassava starch, potato starch, wheat starch, any of which may be wholly or partially dextrinised, in an amount not greater than 5 parts by weight of all such additions for each 100 parts of flour, vinegar, acetic acid or citric acid, a Class III Preservative (see Part XIC of the Nineteenth Schedule), and food additives (see the Nineteenth Schedule) the use and limits of which shall conform to those specified in regulations 325 to 334. Standard for bread

297. Enriched bread or enriched white bread shall be the bread baked from a yeast-leavened dough, and shall contain, for each 100 parts of flour used, not less than 2 parts by weight of skim milk solids, or 4 parts by weight of dried whey powder, and in each kilogram, not less than 2.4 milligrams and not more than 5.3 milligrams of thiamine, not less than 1.8 milligrams and not more than 4.0 milligrams of riboflavin, not less than 22.2 milligrams and not more than 33.3 milligrams of nicotinic acid or niacinamide, and not less than 18.0 milligrams and not more than 27.7 milligrams of iron. Standard for enriched bread

298. Brown bread shall be the bread made by the use of whole wheat meal and bran and which has acquired a brown colour. Standard for brown bread

299. (1) Bread for sale shall be wrapped, and bakery product for sale shall be contained, in such a manner as to be adequately protected from contamination. Wrapping material or container which is not clean or which is liable to contaminate the bread or bakery product and, in particular (without prejudice to the generality of the foregoing), any printed material, other than printed material designed exclusively for wrapping or containing food, shall not be used for wrapping bread or containing any such bakery product. Bread for sale to be wrapped, and bakery product for sale to be contained

(2) For the purpose of this regulation, "adequate" shall have the meaning assigned thereto in regulation 410.

300. For the purposes of regulations 301 to 323, unless the context otherwise requires- Interpretation

"animal" means any animal used as food, but does not include marine and fresh water animals or poultry;

"filler" means-

- (a) flour or meal prepared from grain, wheat tube or soyabeans, including soya protein isolates;
- (b) bread, biscuits, or bakery products, but not those containing or made with a legume;

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- (c) milk powder, skim milk powder, buttermilk powder, whey powder or caseinates (potassium, sodium or calcium);

"lean meat content" means the total weight of lean meat free from visible fat, when raw or after curing or after any other similar processing, contained in any canned meat product expressed as a percentage of the total weight of that product;

"meat content" means the total weight of meat, when raw or after curing or after any other similar processing, contained in any canned meat product expressed as a percentage of the total weight of that product.

301. Meat shall be the edible part of the skeletal muscle of an animal that was healthy at the time of slaughter, and may contain an accompanying and overlaying fat together with portions of skin, sinew, nerve and blood vessels that normally accompany the muscle tissue and are not separated from it in the process of dressing but, subject to regulation 320, does not include muscle found in the lip, snout, scalp or ear. Standard for meat

302. Meat by-product shall be any edible part of an animal, other than meat, that has been derived from one or more animals that were healthy at the time of slaughter. Standard for meat by-product

303. Meats, meat by-products or preparations thereof are adulterated if any of the following substances or class of substances are present therein or have been added thereto: Meats, meat by-products or preparations adulterated if certain preservatives and colours present therein

(a) preservatives, other than those provided for in regulations 300 to 323; and

(b) colours, other than those provided for in regulations 300 to 323.

304. Prepared meat or prepared meat by-product shall be meat or meat by-product respectively, whether comminuted or not, to which has been added any other ingredient permitted by these Regulations, or which has been preserved, canned or cooked and, in the case of prepared hams, may contain shoulders, butts, picnics, and backs, and gelatin and, in the case of partially defatted pork fatty tissues, or partially defatted beef fatty tissues and a Class IV Preservative (see Part XIX of the Nineteenth Schedule). Standard for prepared meat or prepared meat by-product

305. A food that consists wholly or in part of a meat by-product or a prepared meat by-product shall be labelled with the words, "meat by-product", or with the name of the meat by-product. Labelling of food consisting of meat or meat by-product, etc.

306. Pumping pickle, cover pickle and dry cure employed in the curing of preserved meat or preserved meat by-product may contain preservatives as prescribed in Part XI of the Nineteenth Schedule, citric acid, sodium citrate or vinegar, dextrose or glucose, salt, spices or seasoning, sodium bicarbonate or sodium hydroxide, in the case of pumping pickle for cured pork and beef cuts, such disodium phosphate, monosodium phosphate, sodium hexametaphosphate, sodium tripolyphosphate, tetrasodium pyrophosphate and sodium acid pyrophosphate, as shall result in the finished product contain-ing not more than 3,000 milligrams per kilogram expressed as P₂O₅, in the case of pumping pickle for cured beef briskets, enzymes, and in the case of dry cure, an anticaking agent (see Part I of the Nineteenth Schedule) or a humectant (see Part VIII of the Nineteenth Schedule). Composition of pumping or cover pickle and dry cure used in curing preserved meat or preserved meat by-product

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| <p>307. No person shall sell as food a dead animal or any part thereof.</p> | <p>Prohibition from selling as food, dead animal</p> |
| <p>308. No person shall sell as food, meat, meat by-products, preparations containing meat or meat derivatives obtained, prepared or manufactured from a dead animal.</p> | <p>Prohibition from selling as food, meat or meat by-products or preparations from dead animal</p> |
| <p>309. For the purposes of regulations 307 and 308, "dead animal" means a dead animal that was not killed for the purpose of food in accordance with the commonly accepted practice of killing animals for the purpose of food, or was affected with disease at the time it was killed and which disease, in the opinion of veterinarians, renders it unfit for use as meat.</p> | <p>Definition of dead animal</p> |
| <p>310. Subject to the provision of regulation 311, no person shall sell a meat, meat by-product or any preparation thereof packed in a hermetically sealed container unless it has been heat-processed, after or at the time of sealing, at a temperature and for a time sufficient to prevent the survival of any pathogenic micro-organism.</p> | <p>Meat, meat product or meat preparation packed in hermetically sealed container for sale to be heat-processed</p> |
| <p>311. Notwithstanding regulation 310, meat, meat by-product or any preparation thereof, packed in a hermetically sealed container that has not been processed as required by regulation 310, may be sold if it has been stored continuously under refrigeration at a temperature lower than 4°C the label thereof carrying a statement on the main panel to the effect that the product is perishable and that it shall be kept refrigerated at a temperature lower than 4°C; or has been maintained continuously in the frozen state, the label thereof carrying a statement on the main panel to the effect that the product is perishable and that it shall be kept frozen; or contains preservatives as specified in Part XI of the Nineteenth Schedule, has been heat-processed, after or at the time of sealing, at a temperature and for a time sufficient to prevent the formation of any bacterial toxins; or has been subjected to a dehydration procedure in accordance with good manufacturing practice; or has a pH of 4.4 or less.</p> | <p>Conditions under which meat packed in hermetically sealed container and not complying with regulation 310 may be sold</p> |
| <p>312. Minced beef or ground beef shall be comminuted beef meat and shall contain not more than 20 per centum of fat:</p> <p>Provided that where the produce is represented by any means whatsoever as being lean, it shall contain not more than 10 per centum of fat.</p> | <p>Standard for minced beef or ground beef</p> |
| <p>313. No person shall sell prepared meat or prepared meat by-product, except black pudding, and white pudding, that contains more than that amount of filler, meat binder or other ingredient, that is represented by 4 per centum of reducing sugars, calculated as dextrose, as determined by the prescribed method, or 60 per centum of moisture where such prepared meat or prepared meat by-product contains filler.</p> | <p>Limits for filler, meat binder, etc., and moisture in prepared meat or prepared meat by-product for sale</p> |

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314. Preserved meat or preserved meat by-product shall be cooked or uncooked meat or meat by-product that is salted, pickled, corned, cured or smoked; may be glazed and may contain a Class I Preservative (see Part XIA of the Nineteenth Schedule), dextrose, glucose or sugar, spices and seasonings, vinegar, or smoke flavouring or artificial smoke flavouring, in which case the main panel of the label shall carry, immediately preceding or following the common name, the statement, "Smoke Flavouring Added", or "Artificial Smoke Flavouring Added", as the case may be.

Standard for preserved meat or preserved meat by-product

315. Sausage or sausage meat shall be the fresh or preserved comminuted meat to which has been added salt, a Class I Preservative (see Part XIA of the Nineteenth Schedule), and spices (see regulations 325 to 334); may be enclosed in a casing, dipped in vinegar, smoked or cooked; and may contain animal fat, filler, beef tripe, liver, fresh blood from meat cattle, sugar, dextrose or glucose, other seasonings, harmless *Lacto bacilli* cultures, lactic acid starter culture, *Pediococcus cerevisiae*, meat binder, blood plasma or, in the case of preserved comminuted meat, smoke flavouring or artificial smoke flavouring, in which case the main panel of the label shall carry, immediately preceding or following the common name, the statement, "Smoke Flavouring Added" or, "Artificial Smoke Flavouring Added", as the case may be; or, if cooked, glucona delta lactone, partially defatted beef fatty tissue, and a dried skim milk product, obtained from skim milk by the reduction of its calcium content and a corresponding increase in its sodium content, in an amount not exceeding 3 per centum of the finished food or, in the case of a dry sausage or dry sausage meat, glucone delta lactone; and shall contain not less than 65 per centum of meat and, in a case of a product sold as fresh sausage, not more than 40 per centum of fat as determined by the prescribed method.

Standard for sausage or sausage meat

316. Potted meat, meat paste or meat spread shall be the comminuted and cooked or preserved meat, and may contain meat, binder, salt, sugar, dextrose, glucose, spices, other seasonings or a gelling agent and shall contain not less than 65 per centum of meat.

Standard for potted meat, meat paste or meat spread

317. Potted meat by-product, meat by-product paste or meat by-product spread shall be the food consisting, wholly or in part, of meat by-products, and shall otherwise conform to the standard prescribed for potted meat.

Standard for potted meat by-product, meat by-product paste or meat by-product spread

318. Meat loaf, meat roll, meat lunch or luncheon meat shall be the comminuted and cooked, or preserved meat, pressed into shape and may contain a dried skim milk product obtained from skim milk by the reduction of its calcium content and a corresponding increase in its sodium content, in an amount not exceeding 3 per centum of the finished food, filler, meat binder, salt, sugar, dextrose, glucone delta lactone, glucose, spices, other seasonings, milk, eggs, a gelling agent and partially defatted beef fatty tissue or partially defatted pork fatty tissue; it shall contain not less than 65 per centum of meat.

Standard for meat loaf, meat roll, meat lunch or luncheon meat

319. Meat by-product loaf or meat and meat by-product loaf shall be the food consisting, wholly or in part, of meat by-product, and shall otherwise conform to the standard prescribed for meat loaf.

Standard for meat by-product loaf or meat and meat by-product loaf

320. (1) Headcheese shall be the comminuted, cooked preserved meat, shall not contain less than 65 per centum of head meat, and may contain scalp, snout, lip and ear, beef tripe, salt, spices, seasonings and an added gelling agent.

Standard for headcheese



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(2) For the purpose of this regulation, scalp, snout, lip or ear shall, notwithstanding regulation 301, be deemed head meat.

321. Brawn shall be headcheese, except that it need not contain 50 per centum of head meat. Standard for brawn

322. The label of prepared meat by-product, to which a gelling agent has been added as permitted by these Regulations, shall carry a declaration of the presence of the added gelling agent, or the word, "jellied", as an integral part of the name of the food. Added gelling agent in prepared meat or prepared meat by-product to be declared on label

323. Edible bone meal or edible bone flour shall be the food prepared by grinding dry, defatted bones obtained from animals, healthy at the time of slaughter, and shall contain not less than 85 per centum of ash, not more than a total micro-organism count of 1,000 per gram and no *Escherichia coli* as determined by the prescribed method. Standard for edible bone meal

Poisonous Substances in Food

324. Except as provided in these Regulations, a food named in Part I or Part II of the Eighteenth Schedule, and which contains in or upon it any or all of the poisonous or harmful substances listed in amounts not exceeding the quantities stated in the said Schedule and in parts per million for that food and no other poisonous or harmful substance, is hereby exempted from the provision of paragraph (a) of section *three* of the Act. Exemption limits for poisonous or harmful substances in food for sale

Food Additives

325. In regulations 326 to 334, unless the context otherwise requires- Interpretation

"soft drinks" means any of the foods included in regulations 385 to 388, including a beverage base, beverage mix and beverage concentrate. In the case of a beverage base, beverage mix and beverage concentrate, the maximum levels of food additives permitted shall be for the finished drink.

326. No person shall sell any substance or mixture of substances for use as a food additive unless the label carries a quantitative statement of the amount of each additive present, or carries a complete list of the food additives present in descending order of their proportions, including directions for their use which, if followed, shall produce a food that shall not contain such additives in excess of the maximum levels of use prescribed by these Regulations. Label declaration of substances used as food additives for sale



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327. A request that a food additive be added to, or a change made in, the Nineteenth Schedule shall be accompanied by a submission to the Minister in a form, manner and content satisfactory to him and shall include-

Conditions for request to add or change food additives

- (a) a description of the food additive, including its chemical name and the name under which it is proposed to be sold, method of its manufacture, chemical and physical properties, composition and specifications and, where that information is not available, a detailed explanation;
- (b) a statement of the amount of the food additive proposed for use, and the purpose for which it is proposed, together with all directions, recommendations and suggestions for use;
- (c) where necessary, in the opinion of the Minister, an acceptable method of analysis suitable for regulatory purposes that shall determine the amount of the food additive and of any substance resulting from the use of the food additive in the finished food;
- (d) data establishing that the food additive shall have the intended physical or other technical effect;
- (e) detailed reports of tests made to establish the safety of the food additive under the conditions of use recommended;
- (f) data to indicate the residues that may remain in or upon the finished food when the food additive is used in accordance with good manufacturing practice;
- (g) a proposed maximum limit for residues of the food additive in or upon the finished food;
- (h) specimens of the labelling proposed for the food additive; and
- (i) a sample of the food additive in the form in which it is proposed to be used in foods, a sample of the active ingredient and, on request, a sample of food containing the food additives.

328. The Minister shall inform in writing the person filing the submission of his decision to approve the request for the addition to or change in the Nineteenth Schedule.

Minister's approval of addition to, or change in, Nineteenth Schedule to be in writing

329. More than one Class II Preservative shall be allowed:

Condition for allowing more than one Class II Preservative

Provided that the sum of the ratios of the quantities of each preservative present in the product to the quantities permitted under this regulation shall not exceed unity.

330. Notwithstanding the other provisions of these Regulations, paragraph (c) of regulation 22 and paragraph (a) of regulation 23 shall not apply to spices, seasonings, flavouring preparations, essential oils, oleoresins and natural extractives.

Foods exempted from provisions of regulations 22 (c) and 23 (a)

331. No person shall sell a food containing a food additive except as provided for in regulations 22 and 23.

Conditions for sale of food containing food additive



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332. In respect of regulations 284 to 299 and Part XIV of the Nineteenth Schedule, ammonium chloride, ammonium sulphate, calcium carbonate, calcium lactate, diammonium phosphate, dicalcium phosphate, monoammonium phosphate or any combination thereof shall be used in an amount not greater than 0.25 part by weight of all such additives for each 100 parts of flour.

Limits for certain food additives used in flour

333. In respect of regulations 284 to 299 and Part II of the Nineteenth Schedule, potassium bromate, calcium peroxide, ammonium persulphate, potassium persulphate or any combination thereof, shall be used in an amount not greater than 0.01 part by weight of all such additives for each 100 parts of flour.

Limits for food additives that may be used as bleaching, maturing and dough conditioning agents for flour

334. No person shall sell any substance as a food additive unless the food additive is listed in one or more of the Parts in the Nineteenth Schedule.

Substance for sale as food additive to be listed in Nineteenth Schedule

Salt

335. Salt shall be the crystalline sodium chloride, and shall contain not less than 97.0 per centum of sodium chloride on a moisture-free basis, not more than 0.2 per centum of matter insoluble in water, and one part of potassium iodide per 20,000 parts of salt.

Standard for salt

336. Table salt shall be the fine grained refined crystalline salt with the addition of harmless anticaking agents (see Part I of the Nineteenth Schedule) to secure free running properties.

Standard for table salt

Sweetening Agents

337. White sugar shall be the purified and crystallised sucrose and shall have a polarisation of not less than 99.7° S.

Standard for white sugar

338. Icing sugar shall be the finely pulverised white sugar with or without the addition of an anticaking agent. It may contain not more than 5 per centum of starch, if no other anticaking agent is used. If an anticaking agent is used, its use and limits shall conform to those specified in Part I of the Nineteenth Schedule. It may contain not more than 20 parts per million of residual sulphur dioxide from the white sugar used.

Standard for icing sugar

339. Brown sugar, yellow sugar, or golden sugar shall be the food obtained from the syrups originating in the sugar refining process. It shall contain not more than 4.5 per centum of moisture, not more than 3.5 per centum of sulphated ash, and not less than 90 per centum of sugar and invert sugar.

Standard for brown sugar, yellow sugar or golden sugar

340. Refined sugar syrup, refiners' syrup or golden syrup shall be the food made from the syrup originating in the sugar refining process, and partly hydrolysed and shall contain not more than 35 per centum of moisture, and not more than 2.5 per centum of sulphated ash.

Standard for refined sugar syrup, refiners' syrup or golden syrup

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341. Dextrose or dextrose monohydrate, for the purposes of regulations 15 to 421, shall be the food chemically known as dextrose or d-glucose or dextrose monohydrate, and shall contain not less than 90 per centum of total solids and not more than 0.25 per centum of sulphated ash. Standard for dextrose or dextrose monohydrate

342. Glucose syrup or liquid glucose shall be the purified concentrated aqueous solution of nutritive saccharides obtained from starch, may contain sulphurous acid or its salt (see Part XIB of the Nineteenth Schedule), and shall contain not less than 70 per centum of total solids, not more than 1.0 per centum of total ash and not less than 20 per centum of reducing sugars calculated as d-glucose on a dry basis. Standard for glucose syrup or liquid glucose

343. Honey shall be the sweet substance produced by honey bees from the nectar of blossoms or from secretions, or on living parts, of plants, which they collect, transform and combine with specific substances, and store in honey combs; and shall contain not more than 21 per centum of moisture, not more than 10 per centum of sucrose, and not less than 60 per centum of invert sugar. Standard for honey

Vinegar

344. Vinegar shall be the liquid obtained by the acetous fermentation of an alcoholic liquid, and 100 millilitres of it, measured at 20°C, shall contain not less than 4.0 grams of acetic acid. Standard for vinegar

345. If any reference is made by any statement, mark, or device, on the label, or in any advertisement, for a vinegar, to the strength of the vinegar, the label shall carry a statement of the strength of the vinegar declared as per centum of acetic acid. Reference to strength of vinegar on label or in advertisement to be in terms of per centum of acetic acid

346. Wine vinegar shall be the vinegar made from wine and may contain caramel. Standard for wine vinegar

347. Spirit vinegar, alcohol vinegar, white vinegar or grain vinegar shall be the vinegar made from diluted distilled alcohol. Standard for spirit vinegar, etc.

348. Malt vinegar shall be the vinegar made by the alcoholic and subsequent acetous fermentations, without distillation, of an infusion of barley malt or cereals whose starch has been converted by malt, may contain caramel, and shall contain, in 100 millilitres, measured at 20°C, not less than 1.8 grams of solids, and not less than 0.2 gram of ash. Standard for malt vinegar

349. Cider vinegar or apple vinegar shall be the vinegar made from the liquid expressed from apples, and may contain caramel. Standard for cider vinegar

350. Imitation vinegar means the product prepared by diluting acetic acid, conforming to British pharmacopeia, with water, shall contain not less than 4.0 grams of acetic acid per 100 millilitres measured at 20°C, and may contain caramel. Standard for imitation vinegar

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351. Imitation vinegar shall be distinctly labelled,

Labelling of imitation vinegar

"IMITATION-PREPARED FROM ACETIC ACID".

Tea

352. Tea shall be the dried leaves and buds and tender stems of species of the *camellia* genus produced by acceptable process. General standard for tea

353. Black tea (generally known as tea) shall be the tea derived exclusively and produced by acceptable process, from the leaves, buds and tender stems of species of the *camellia* genus known to be suitable for making tea, and includes all types of tea, except green tea and instant tea, and shall have- Standard for black tea

- (a) a minimum of 32 per centum of water extract;
- (b) between 4 and 8 per centum of total ash;
- (c) a maximum of 1.0 per centum of acid insoluble ash;
- (d) a minimum of 45.0 per centum of water soluble ash as per centum of total ash;
- (e) between 1.2 and 2.6 per centum of alkalinity of water-soluble ash (as KOH);
- (f) a maximum of 17 per centum of crude fibre.

354. Green tea shall be the tea derived exclusively and produced by acceptable process, from the leaves, buds and tender stems of species of the *camellia* genus known to be suitable for making tea, and shall contain not more than 5.0 per centum of moisture. Standard for green tea

Marine and Fresh Water Animal Products

355. The foods referred to in regulations 356 to 367 are included in the term marine and fresh water animal products. Application

356. In regulations 355 to 367, unless the context otherwise requires-

Interpretation

"filler" shall have the meaning assigned thereto in regulation 300;

"marine and fresh water animal" includes-

- (a) fish;
- (b) crustaceans, molluses, other marine invertebrates; and
- (c) marine mammals.

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- 357.** Fish shall be the clean, whole or dressed edible portion of fish, with or without salt or seasoning, and may contain food additives as permitted in the Nineteenth Schedule. Standard for fish
- 358.** For the purposes of regulations 359, 360, 361, 363 and 364, meat shall be the clean, dressed flesh of crustaceans, molluses, other marine invertebrates, and marine mammals, whether comminuted or not, with or without salt or seasoning, and may contain food additives as permitted in the Nineteenth Schedule. Standard for meat
- 359.** Fish and meat products or preparations thereof are adulterated if any of the following substances or any substance in one of the following classes is present therein or has been added thereto: When fish and meat products or preparations thereof are adulterated
- (a) preservatives, other than those provided for in regulations 356 to 365, except-
 - (i) sorbic acid or its salts in dried fish that has been smoked or salted, and in cold-processed, smoked and salted fish paste; and
 - (ii) benzoic acid or its salts, methyl-p-hydroxy benzoate, propyl-p-hydroxy benzoate in marinated or similar cold-processed, packaged fish and meat products; and
 - (b) food colour, except as provided for in regulations 356 to 365.
- 360.** Prepared fish or prepared meat shall be the whole or comminuted food prepared from fresh or preserved fish or meat, respectively, may be canned, retorted or cooked, and may- Standard for prepared fish or prepared meat
- (a) in the case of lobster paste or fish roe, contain food colour (see Part III of the Nineteenth Schedule);
 - (b) in the case of canned shellfish, canned spring mackerel and frozen cooked shrimp, or prawn, contain citric acid or lemon juice;
 - (c) in the case of fish paste, contain filler, fish binder or monoglyceride;
 - (d) in the case of canned sea foods, excepting tuna, contain sodium hexametaphosphate and sodium acid pyrophosphate;
 - (e) in the case of canned salmon, lobster, crabmeat and shrimp or prawn, contain calcium disodium ethylenediaminetetraacetate (EDTA) and aluminium sulphate, if such addition is declared on the label;
 - (f) in the case of canned cod livers, canned sardines or canned kippered snacks, contain liquid smoke flavour, if such addition is declared on the main panel of the label;
 - (g) contain edible oil, vegetable broth and tomato sauce or puree, if such addition is declared by name on the label;
 - (h) contain a gelling agent, if the label carries the word, "jellied", as an integral part of the name;
 - (i) contain salt;
 - (j) in the case of cooked canned clams, contain calcium disodium ethylenediaminetetraacetate (EDTA), if such addition is declared on the label.
- 361.** Fish binder, for use in or upon prepared fish or prepared meat, shall be filler with any combination of salt, sugar, dextrose, spices and other seasonings. Standard for fish binder

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362. No person shall sell filler or a fish binder, represented either by label or in any advertisement, as for use in fish products, unless the label carries adequate directions for use in accordance with the limits provided in regulation 363. Prohibition against sale of filler or fish binder without adequate label direction for use

363. No person shall sell prepared fish or prepared meat that contains more than that amount of filler, fish binder or other ingredients that is represented by 4 per centum of reducing sugars, calculated as dextrose, as determined by the prescribed method. Prohibition against sale of prepared fish or meat containing certain amounts of filler, fish binder, etc.

364. Preserved fish or preserved meat shall be the cooked or uncooked fish or meat that is dried, salted, pickled, cured or smoked, and may contain Class I Preservatives, dextrose, glucose, spices, sugar and vinegar; and dried fish that has been smoked or salted, and cold-processed smoked and salted fish paste, may contain sorbic acid or its salts; and smoked fish may contain food colour (see Part III of the Nineteenth Schedule); and packaged fish and meat products that are marinated or otherwise cold-processed may contain sandalwood, benzoic acid or its salts, methyl-p-hydroxy benzoate and propyl-p-hydroxy benzoate. Standard for preserved fish or meat

365. Finnan haddie, when canned, shall be the preserved fish made from smoked haddock. Standard for finnan haddie

366. Notwithstanding regulation 363, lobster paste shall not contain more than 2 per centum of filler or fish binder. Limit for filler or fish binder in lobster paste

367. No person shall sell smoked fish or a smoked fish product packed in a container that has been sealed to exclude air, unless it has been heat-processed after sealing to destroy all spores of the species *Clostridium botulinum* or it contains not less than 6 per centum of salt, as determined by the prescribed method. Restriction on sale of smoked fish or its product packaged in sealed containers

Poultry, Poultry Meat, their Preparations and Products

368. For the purpose of regulation 377, "filler" shall have the meaning assigned thereto in regulation 300. Interpretation

369. Poultry shall be any bird that is commonly used as food. Standard for poultry

370. Poultry meat shall be the clean, dressed flesh, exclusive of the giblets, of eviscerated poultry that is healthy at the time of slaughter. Standard for poultry meat

371. Poultry meat by-product shall be the clean parts of poultry other than poultry meat commonly used as food, and includes the giblets and skin, but excludes the oesophagus, feet and head. Standard for poultry meat by-product

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372. Giblets shall be the heart, without the pericardial sac, liver, from which the bile sac (gall bladder) has been removed, and gizzard, from which the lining and contents have been removed, of poultry. Standard for giblets

373. Poultry meat, poultry meat by-product or preparation thereof is adulterated if any of the following substances or any substance in the following classes is present therein or had been added thereto: When poultry meat, poultry meat by-product or preparation thereof is adulterated

- (a) any organ or portion of poultry that is not commonly sold as food;
- (b) preservatives, other than those provided for in regulations 368 to 384;
- (c) colour, other than caramel.

374. Prepared poultry meat or prepared poultry meat by-product shall be the poultry meat or poultry meat by-product, whether comminuted or not, that has been preserved, canned or cooked. Standard for prepared poultry meat or prepared poultry meat by-product

375. A food that consists wholly or in part of a poultry meat by-product or a prepared poultry meat by-product shall carry on the label the words "poultry meat by-product" or the name of the poultry meat by-product. Label declaration of food consisting of poultry meat by-product or prepared poultry meat by-product

376. No person shall sell, for consumption as food, poultry to which has been administered any preparation having oestrogenic activity, or any residue of poultry meat or poultry meat by-product that contains any residues of exogenous substances. Prohibition against sale of poultry administered with preparation having oestrogenic activity or of poultry meat or poultry meat by-product containing exogenous substances

377. No person shall sell a prepared poultry meat or a prepared poultry meat by-product that contains more than that amount of filler or other ingredient that is represented by 4.0 per centum of reducing sugars, calculated as dextrose, as determined by the prescribed method, or 60 per centum of moisture where such prepared poultry meat or prepared poultry meat by-product contains filler. Restriction on sale of prepared poultry meat or prepared poultry meat by-product

378. Preserved poultry meat or preserved poultry meat by-product shall be the cooked or uncooked poultry meat or poultry meat by-product that is cured or smoked and may contain Class I Preservatives (see Part XIA of the Nineteenth Schedule), dextrose, glucose, spices, sugar and vinegar. Standard for preserved poultry meat or preserved poultry meat by-product

379. Canned (naming the poultry) shall be prepared from poultry meat, and may contain those bones or pieces attached to the portion of the poultry meat that is being canned, broth, salt, seasoning, gelling agents, and not more than 5 per centum of added fat. Standard for canned poultry

380. Broth that is used in canned (naming the poultry) for the purpose of regulation 379 shall be the liquid in which the poultry has been cooked. Standard for broth

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381. Canned (naming the poultry) containing gelling agent shall, as an integral part of the name of the food, carry on the label a declaration of added gelling agent or the word "Jellied".
 Label declaration of canned poultry containing gelling agent

382. Boneless (naming the poultry) shall be the canned poultry meat from which the bones and skin have been removed and shall contain not less than 50 per centum of the named poultry meat, as determined by the prescribed method, and may contain broth having a specific gravity of not less than 1.000 at a temperature of 50°C.
 Standard for boneless poultry

383. Liquid, dried or frozen whole egg, egg-yolk, egg-white, egg-albumen, or a mixture of these, shall be the egg products obtained by removing the shell of wholesome fresh eggs or wholesome stored eggs and processing them, and may contain salt, sugar and stabilising agents (see Part IV of the Nineteenth Schedule); in the case of dried whole egg, egg-yolk, egg-white and egg-albumen, 2 per centum of anticaking agent (see Part I of the Nineteenth Schedule); and in the case of liquid, dried or frozen egg-whites, a whipping agent (see Part VIII of the Nineteenth Schedule).
 Standard for liquid, dried, or frozen whole egg, etc., etc.

384. No person shall sell any egg product or liquid egg for use as food unless it is free from *Salmonella* bacteria, as determined by the prescribed method.
 Egg product or liquid egg for sale as food to be free from *Salmonella* bacteria

Soft Drinks

385. The foods referred to in regulations 386 to 388 are included in the term "soft drinks".
 Application

386. Soft drinks are the class of beverages made by absorbing carbon dioxide in potable water with or without various added substances. The amount of carbon dioxide used shall not be less than that which shall be absorbed by the beverage at a pressure of one atmosphere and at a temperature of 15.6°C. It shall contain either no alcohol or only such ethyl alcohol (ethanol), not in excess of 0.5 per centum of the finished beverage, as is contributed by a flavouring ingredient used.
 Standard for soft drinks

387. (1) A soft drink may contain optional ingredients, but if any such ingredient is a food additive, a food colour or a flavouring preparation as defined in regulation 15, it shall be used only in conformity with regulations 325 to 334, 115 to 122 and 219 to 243, respectively.
 Optional ingredients for soft drinks and their use regulated

(2) The optional ingredients that may be used in soft drinks in such proportions as are reasonably required to accomplish their intended effects are-

- (a) nutritive sweeteners consisting of the dry or liquid form of sugar, invert sugar, dextrose, fructose, glucose syrup, sorbitol, or any combination of them;
- (b) flavouring preparations permitted in soft drinks and conforming to regulations 219 to 243;



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- (c) food colours permitted in soft drinks and found in regulations 115 to 122 and Part III of the Nineteenth Schedule;
- (d) one or more of the food additives for soft drinks found in Part X of the Nineteenth Schedule;
- (e) one or more of the food additives for soft drinks found in Part IV of the Nineteenth Schedule, and when one or more of these food additives are used, dioctyl sodium sulfosuccinate, complying with Part VIII of the Nineteenth Schedule, may be used;
- (f) one or more of the food additives for soft drinks found in Part VIII of the Nineteenth Schedule;
- (g) quinine, as a flavouring preparation in an amount not to exceed 83 parts per million by weight of the finished soft drink in which case the label shall bear a prominent declaration to the effect that it contains quinine;
- (h) one or more of the food additives for soft drinks found in Parts XIA to XID of the Nineteenth Schedule;
- (i) in the case of canned carbonated soft drinks, stannous chloride, in a quantity not to exceed 11 parts per million calculated as tin (Sn), with or without one or more of the other chemical preservatives permitted in sub-regulation 2 (h) of this regulation.

388. (1) (a) The name of the soft drink for which this standard is established, which is neither flavoured nor sweetened, is "soda water", "club soda", or "soda". Designation of soft drinks

- (b) The name of each soft drink containing flavouring ingredients as provided in regulation 387 is " _____ soda" or " _____ soda water" or " _____ carbonated beverage" or " _____ soft drink", the blank being filled in with the word that designates the characterising flavour of the soft drink; for example, "grape soda".
- (c) If the soft drink is one generally designated by a particular common name, for example, ginger ale, root beer, or sparkling water, that name may be used in lieu of the name prescribed by this regulation.

- (2) For the purposes of this regulation, a proprietary name that is commonly used by the public as the designation of a particular kind of soft drink may likewise be used in lieu of the name prescribed in this regulation.

Vitamins, Mineral Nutrients and Amino Acids in Food

389. For the purposes of regulations 390 to 409, unless the context otherwise requires- Interpretation

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"advertise" means to advertise to the general public;

"mineral nutrient" means any of the following chemical elements, whether alone or in a compound with one or more other chemical elements:

- (a) calcium;
- (b) phosphorus;
- (c) iron;
- (d) sodium;
- (e) potassium;
- (f) iodine;
- (g) zinc;
- (h) copper;
- (i) magnesium; and
- (j) manganese;

"reasonable daily intake", in respect of a food named in column 1 of the Twentieth Schedule, means the amount of that food set out opposite thereto in column 2 of that Schedule;

"testimonial", with respect to a food that is represented as containing a vitamin, mineral nutrient or an amino acid, means any pictorial, written or oral representation as to the result that is, has been or may be, produced by the addition to a person's diet of that vitamin, mineral nutrient, or amino acid, as the case may be;

"vitamin" means any of the following vitamins or their synonymous names:

- (a) vitamin A (including retinol and retinol derivatives, excluding carotenes);
- (b) vitamin B₁ or thiamine;

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- (c) vitamin B₂ or riboflavine;
- (d) nicotinic acid or nicotinamide;
- (e) vitamin B₆ or pyridoxine;
- (f) folic acid;
- (g) d-pantothenic acid;
- (h) biotin;
- (i) vitamin B₁₂ or cyanocobalamine;
- (j) vitamin C or l-ascorbic acid;
- (k) vitamin D;
- (l) vitamin E;
- (m) vitamin K₁;
- (n) any salt or derivative of a vitamin listed in paragraphs (a) to (m) of this regulation.

390. Regulations 389 to 406 shall apply only to a food that is represented as containing a vitamin, mineral nutrient or an amino acid for use in human nutrition. Application

391. Any statement, in an advertisement for, or on a label of, a food for sale, relating to or based on the vitamin content of that food, not conforming to regulations 392 to 396, shall be deemed to contravene section *four* of the Act. Restriction on statements in advertisement for, or on label of, food relating to vitamins



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392. Where the amount of a vitamin referred to in this regulation that is contained in a food is not less than the amount mentioned in paragraph (b) of regulation 393 in respect of that vitamin, a person may, in advertising that food or on a label of that food, state-

Conditions for statement relating to vitamin content of food

- (a) in the case of vitamin C, that it is a factor in the normal development and maintenance of bones, cartilage, teeth and gums;
- (b) in the case of vitamin D, that it is a factor in the normal development and maintenance of bones and teeth, especially in infancy and childhood; and
- (c) in the case of any of the vitamins listed in paragraph (b) of regulation 393, that it is a factor in the maintenance of good health.

393. A person may, in advertising a food to which no vitamin has been added or on a label of such food, state-

Limitations and conditions for advertisement relating to vitamins in foods to which no vitamin has been added

- (a) that the food is "a good source" or "a good dietary source" of any of the vitamins referred to in paragraph (a) of this regulation, if a reasonable daily intake of that food by a person would result in the daily intake by such person of not less than-

(i) in the case of vitamin A, 600 International Units;

(ii) in the case of vitamin B₁, 0.25 milligram;

(iii) in the case of vitamin B₂, 0.4 milligram;

(iv) in the case of nicotinic acid, 2.5 milligrams; and

(v) in the case of vitamin C, 7.5 milligrams; or

- (b) that the food is an "excellent source" or "an excellent dietary source" of any of the vitamins referred to in this regulation, if a reasonable daily intake of that food by a person would result in the daily intake by such person of not less than-

(i) in the case of vitamin A, 1,200 International Units;

(ii) in the case of vitamin B₁, 0.45 milligrams;

(iii) in the case of vitamin B₂, 0.75 milligram;

(iv) in the case of nicotinic acid, 4.5 milligrams;

(v) in the case of vitamin C, 15 milligrams; and

(vi) in the case of vitamin D, 300 International Units.

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394. A person may, in advertising a food to which a vitamin has been added or on a label of such a food, state that the food contains the added vitamin and the amount of the added vitamin that is contained in a specified quantity of the food.

Manner of advertising or label statement relating to food to which vitamin has been added

395. No person shall sell a food to which a vitamin has been added unless the amount of the vitamin present in the food is expressed on the label of the food-

Manner of label declaration where vitamin has been added to food for sale

- (a) in the case of vitamin A, vitamin D or vitamin E, in International Units per one hundred grams or millilitres of the food; and
- (b) in the case of vitamin B₁, vitamin B₂, nicotinic acid, vitamin B₆, d-pantothenic acid, folic acid, biotin, vitamin B₁₂, vitamin C or vitamin K₁, in milligrams per one hundred grams or millilitres of the food;

together with the name of the vitamin.

396. Where a food sale to which no vitamin has been added is represented as being solely for use in the feeding of children under two years of age, a person may state, on the label of the food, the amount of any of the vitamins referred to in this regulation and that are present in the food, if a reasonable daily intake of that food by a child under two years of age would result in the daily intake by the child of not less than-

Level of vitamin contents and conditions for label declaration of vitamins in food solely for feeding children under two years

- (a) in the case of vitamin A, 600 International Units;
- (b) in the case of vitamin B₁, 0.25 milligram;
- (c) in the case of vitamin B₂, 0.4 milligram;
- (d) in the case of nicotinic acid, 2.5 milligrams;
- (e) in the case of vitamin B₆, 0.25 milligram; and
- (f) in the case of vitamin C, 7.5 milligrams.

397. Subject to regulation 398, no person shall sell a food to which any of the vitamins referred to in this regulation have been added unless a reasonable daily intake of that food by a person would result in the daily intake by such person of not less than-

Minimum quantity of vitamins in, and condition for sale of, food to which vitamin has been added

- (a) in the case of vitamin A, 1,600 International Units;
- (b) in the case of vitamin B₁, 0.6 milligram;
- (c) in the case of vitamin B₂, 1.0 milligram;
- (d) in the case of nicotinic acid, 6 milligrams;
- (e) in the case of vitamin C, 20 milligrams; and
- (f) in the case of vitamin D, 300 International Units.



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398. Where a food to which a vitamin has been added is represented as being solely for use in the feeding of children under two years of age, no person shall sell such food unless a reasonable daily intake of that food by a child under two years of age would result in the daily intake by the child of not less than-

- (a) in the case of vitamin A, 1,000 International Units;
- (b) in the case of vitamin B₁, 0.4 milligram;
- (c) in the case of vitamin B₂, 0.6 milligram;
- (d) in the case of nicotinic acid, 4 milligrams;
- (e) in the case of vitamin B₆, 0.6 milligram;
- (f) in the case of vitamin C, 20 milligrams;
- (g) in the case of vitamin D, 300 International Units; and
- (h) in the case of vitamin E, 5 International Units.

Quantity of vitamins in, and condition for sale of, food solely for feeding children under two years to which vitamin has been added

399. No person shall sell a food to which any of the vitamins referred to in this regulation have been added if a reasonable daily intake of that food by a person would result in the daily intake by such a person of more than-

- (a) in the case of vitamin A, 2,500 International Units;
- (b) in the case of vitamin B₁, 2 milligrams;
- (c) in the case of vitamin B₂, 3 milligrams;
- (d) in the case of nicotinic acid, 20 milligrams;
- (e) in the case of vitamin B₆, 1.5 milligrams;
- (f) in the case of vitamin C, 60 milligrams;
- (g) in the case of vitamin D, 400 International Units; and
- (h) in the case of vitamin E, 15 International Units.

Maximum quantity of vitamins in, and condition for sale of, food to which vitamin has been added

400. Any statement in advertising a food that is represented as containing a vitamin or on a label of such food, which-

- (a) gives any assurance or guarantee of any kind with respect to the result that may be, has been or will be, obtained by the addition of the vitamin to a person's diet; or
- (b) refers to, reproduces or quotes, any testimonial;

Assurance in advertising or on label of food relating to result of vitamin in food or testimonial prohibited

shall be deemed to contravene section *four* of the Act.

401. Any statement, in an advertisement for or on a label of a food for sale, relating to or based on the mineral nutrient content of that food, not conforming to regulations 402 to 407, shall be deemed to contravene section *four* of the Act.

Restriction on advertising or on label of food for sale relating to mineral nutrient content



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402. Where the amount of a mineral nutrient referred to in this regulation and that is contained in a food is not less than the amount mentioned in paragraph (b) of regulation 403 in respect of that mineral nutrient, a person may, in advertising that food or on a label of that food, state-

Conditions for statement relating to mineral nutrient content of food

- (a) in the case of calcium or phosphorus, that it is a factor in the normal development and maintenance of bones and teeth, especially in infancy and childhood;
- (b) in the case of iron, that it is a factor in the prevention of anaemia due to iron deficiency; and
- (c) in the case of calcium, phosphorus or iron, that it is a factor in the maintenance of good health.

403. A person may, in advertising a food to which no mineral nutrient has been added or on a label of such food, state-

Limitations and conditions for advertising relating to mineral nutrients in food to which no mineral nutrient has been added

- (a) that the food is "a good source" or "a good dietary source" of any of the mineral nutrients referred to in this regulation, if a reasonable daily intake of that food by a person would result in the daily intake by such person of not less than-

- (i) in the case of calcium, 150 milligrams;
- (ii) in the case of phosphorus, 150 milligrams; and
- (iii) in the case of iron, 2 milligrams;

- (b) that the food is "an excellent source" or "an excellent dietary source" of any of the nutrients referred to in this regulation, if a reasonable daily intake of that food by a person would result in the daily intake by such person of not less than-

- (i) in the case of calcium, 300 milligrams;
- (ii) in the case of phosphorus, 300 milligrams; and
- (iii) in the case of iron, 4 milligrams.

404. A person may, in advertising a food to which a mineral nutrient has been added or on a label of such food, state-

Manner of advertising or label statement on food to which mineral nutrient has been added

- (a) that the food contains the added mineral nutrient; and
- (b) the amount of the added mineral nutrient that is contained in a specified quantity of the food.

405. No person shall sell any food, other than salt for table or general household use, to which a mineral nutrient has been added, unless the amount of the mineral nutrient present in the food is expressed on the label of the food-

Manner of label declaration of food for sale to which mineral nutrient has been added

- (a) by using the name for that mineral nutrient; and
- (b) in milligrams per one hundred grams or millilitres of the food.

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406. Where a food for sale to which no mineral nutrient has been added is represented as being solely for use in the feeding of children under two years of age, a person may state on the label of the food the amount of any of the mineral nutrients referred to in this regulation and that are present in the food, if a reasonable daily intake of that food by a child under two years of age would result in the daily intake by the child of not less than-

- (a) in the case of calcium, 150 milligrams;
- (b) in the case of phosphorus, 150 milligrams;
- (c) in the case of iron, 2 milligrams; and
- (d) in the case of iodine, 0.05 milligram.

Level of mineral nutrient contents and conditions for label declaration of mineral nutrients in food solely for feeding children under two years

407. Any statement in advertising a food that is represented as containing a mineral nutrient or on a label of such food, which-

- (a) gives any assurance or guarantee of any kind with respect to the result that may be, has been or will be, obtained by the addition of the mineral nutrient to a person's diet; or
- (b) refers to, reproduces or quotes, any testimonial;

Assurance in advertising or on label of food relating to result of mineral nutrient in food or testimonial prohibited

shall be deemed to contravene section *four* of the Act.

408. No person shall sell a food to which any of the mineral nutrients referred to in this regulation has been added, unless a reasonable daily intake of that food by a person would result in the daily intake by such person of not less than-

- (a) in the case of calcium, 300 milligrams;
- (b) in the case of phosphorus, 300 milligrams;
- (c) in the case of iron, 4 milligrams; and
- (d) in the case of iodine, 0.10 milligram.

Minimum quantity of mineral nutrients in, and conditions for sale of, food to which mineral nutrient has been added

409. No person shall sell a food to which a vitamin, mineral nutrient or an amino acid has been added, unless the food is listed in column 1 of the Twenty-first Schedule and the vitamin, mineral nutrient or amino acid, as the case may be, is listed opposite thereto in column 2 of the said Schedule.

Food to which vitamins, mineral nutrients or amino acids may be added

Food Hygiene

410. For the purpose of regulations 411 to 422, unless the context otherwise requires-

Interpretation

"adequate" means that which is needed to accomplish the intended purpose in keeping with good public health practice;

"plant" means building or part thereof used for or in connection with the manufacturing, processing, handling, packaging, labelling, storing, selling or transporting of food;



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"sanitise" means to adequately treat surface by a process that is effective in destroying vegetative cells of pathogenic bacteria and in substantially reducing other micro-organisms; such treatment shall not adversely affect food product and shall be safe for the consumer.

411. Growing and harvesting operations shall be of a clean and sanitary nature, including, but not limited to, the following:

Growing and harvesting of raw materials to be of clean and sanitary nature

- (a) unfit raw materials shall be segregated out during harvesting and disposed of in such a place and in such a manner that they cannot contaminate food and water supplies or other crops;
- (b) harvesting containers shall not constitute a source of contamination to raw materials; and containers which are re-used shall be of such material and construction as shall facilitate thorough cleaning.

412. (1) The grounds in or adjacent to a food plant under the control of the operator shall be free from conditions which may result in the contamination of food and shall include, but are not limited to, the following:

Grounds in or adjacent to food plant to be free from contaminating conditions

- (a) improperly stored equipment, litter, waste and refuse within the immediate vicinity of the buildings, structures, or conveyances that may constitute an attractant, breeding place, or harbourage for rodents, insects, and other pests;
- (b) inadequately drained areas that may contribute contamination to food produce through seepage or food-borne filth and provide a breeding place for insects or micro-organisms.

(2) If the grounds about a food plant are bordered by grounds not under the operator's control of the kind described in paragraphs (a) and (b) of sub-regulation (1) of this regulation, care shall be exercised in the plant by inspection, extermination, or other means to effect seclusion of pests, dirt, and other filth that may be a source of food contamination.

413. (1) All plant construction and structure shall be suitable in size, construction and design to facilitate maintenance and hygienic food operation.

Plant and facilities

(2) The plant and facilities shall provide-

- (a) sufficient space for such placement of equipment and storage of materials as is necessary for sanitary operations, production and transportation of food;
- (b) separation, by partition, location, or other effective means, for those operations which may cause contamination of food or food contact surfaces with undesirable micro-organisms, chemicals, filth, or other extraneous material;



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- (c) adequate dressing and locker rooms, not being any part used for storing or handling food, where persons working in the plant may store or change clothes, and shall include, if not provided separately, resting facilities;
- (d) adequate lighting to hand-washing areas, dressing and locker rooms and toilet and to all areas where food or food ingredients are examined, processed or stored and where equipment and utensils are cleaned;
- (e) adequate ventilation or control equipment to minimise odours and noxious fumes or vapours (including steam), particularly in areas where they may contaminate food, so, however, that such ventilation or control equipment shall not create a condition that may contribute to food contamination by air-borne contaminations;
- (f) where necessary, effective screening or other protection against birds, animals and vermin (including, but not limited to, insects and rodents).

414. (1) Floors, walls, and ceilings in the plant shall be of such construction as to be adequately cleanable and shall be kept clean and in good repair. Construction and design

(2) Fixtures, ducts and pipes shall not be so suspended over areas where drip or condensate may contaminate foods, raw materials or food-contact surfaces.

(3) Aisles or working spaces between equipment, and between equipment and walls, shall be unobstructed and of a sufficient width to permit employees to perform their duties without contamination of food or food-contact surfaces with clothing or personal contact.

(4) Light bulbs, fixtures, skylights or other glass suspended over exposed food in any step of preparation shall be of the safety type or otherwise protected to prevent food contamination in case of breakage.

415. (1) All plants, equipment and utensils shall be- Equipment and utensils

- (a) suitable for their intended use;
- (b) so designed and of such material and workmanship as to be adequately cleanable; and
- (c) properly maintained.

(2) Food contact surfaces shall be-

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- (a) smooth and free from pits, crevices and loose scale;
- (b) non-toxic;
- (c) unaffected by food products;
- (d) capable of withstanding repeated exposure to normal cleaning and sanitising; and
- (e) non-absorbent, unless the nature of a particular and otherwise acceptable process renders the use of a surface, such as wood, necessary.

(3) The design, construction, and use of such equipment and utensils referred to in sub-regulation (1), shall preclude the adulteration of food with lubricant, fuel, metal fragments, contaminated water, or any other contaminants.

(4) All equipment shall be so installed and maintained as to facilitate the cleaning of the equipment and of all adjacent spaces.

416. (1) Areas, other than those in a caravan or market stall, where food is manufactured, processed, handled, packaged, labelled or stored for sale, shall be provided with adequate sanitary convenience including, but not limited to, the provision of adequate water supply, drainage, plumbing, hand-washing, rubbish-storage and offal disposal facilities.

Sanitary conveniences and control

(2) The water supply shall be sufficient for the operations intended and shall be derived from an adequate source. Any water that contacts food or food-contact surfaces shall be safe and of adequate quality. Running water at a suitable temperature and under pressure as needed shall be provided in all areas where the processing of food, the cleaning of equipment, utensils, or containers, and the employee sanitary conveniences require.

(3) The drainage of effluents shall be made through an adequate sewerage system or disposed of through other adequate and approved means.

(4) The plumbing shall be of such adequate a size and design and so adequately installed and maintained as to-

- (a) carry sufficient quantities of water to required locations;
- (b) properly convey sewage and liquid disposal waste;
- (c) constitute no source of contamination to ingredient foods, food products, water supplies, equipment, or utensils;

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(d) provide adequate floor drainage in all areas where floors are subject to flooding-type cleaning or where normal operations release or discharge water or liquid waste on the floor.

(5) The sanitary convenience, with adequate toilet and associated hand-washing facilities, shall be provided for use by employees; and where persons of both sexes are or are intended to be employed, the conveniences shall afford proper, separate accommodation for each sex. The conveniences shall be maintained in a sanitary condition and kept in good repair. Doors to toilet rooms shall be self-closing and shall not open directly into areas where food is exposed to airborne contamination, except where alternate means have been taken to prevent such contamination (such as double doors, positive air-flow systems, etc.). Signs shall be posted directing employees to wash their hands with cleaning soap or detergents after toilet.

(6) Adequate and convenient installation for hand-washing and, where appropriate, hand-sanitising shall be provided at each location where good hygienic practices require employees to wash or sanitise and dry their hands. Such installations shall be furnished with running water at a suitable temperature for hand-washing, effective hand-cleaning and sanitising preparations (including nail brushes), hygienic towel service or suitable drying devices, and, where appropriate, easily cleanable waste receptacles.

(7) Rubbish and any offal shall be so conveyed, stored, and disposed of as to minimise the development of odour, prevent waste from becoming an attractant and harbourage or breeding place for vermin, and prevent contamination of food, food-contact surfaces, ground surfaces, and water supplies.

417. Buildings, fixtures, and other physical facilities of the plant shall be kept in good repair and shall be maintained in a hygienic condition. Cleaning operations shall be conducted in such a manner as to minimise the danger of contamination of food and food-contact surfaces. Supplies employed in cleaning and sanitising procedures shall be free from significant microbiological contamination and shall be safe and effective for their intended uses. Only such toxic materials as are required to maintain sanitary conditions, for use in laboratory testing procedures, for plant and equipment maintenance and operation, or in manufacturing or processing operations, shall be used or stored in the plant. These materials shall be identified and used only in such manner and under such conditions as shall be safe for their intended uses.

General maintenance

418. No animals or birds, other than those essential as raw materials, shall, subject to the provisions of regulation 50 of the Public Health (Meat, Abattoir and Butcheries) Regulations, be allowed in any food plant. Effective measures shall be taken to exclude pests from food areas and to protect against the contamination of foods in or on the premises by animals and vermin (including, but not limited to, rodents and insects). The use of pesticides shall be permitted only under such precautions and restrictions as shall prevent the contamination of food or packaging materials.

Animal and vermin control
Cap. 295

419. (1) All utensils and product-contact surfaces or equipment shall be cleaned as frequently as necessary to prevent contamination of food and food products.

Sanitation of equipment
and utensils

(2) Non-product-contact surfaces of equipment shall be cleaned as frequently as necessary to minimise accumulation of food particles, dust, dirt, and other debris.

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(3) Single-service articles (such as utensils intended for one-time use, paper cups, paper towels, etc.) shall be stored in appropriate containers and handled, dispensed, used, and disposed of in a manner that prevents contamination of food or food-contact surfaces.

(4) Where necessary, to prevent the introduction of undesirable microbiological organisms into food products, all utensils and product-contact surfaces of equipment used in the facilities shall be cleaned and sanitised prior to such use and following any interruption during which such utensils and contact surfaces may have become contaminated.

(5) Where such equipment and utensils are used in a continuous production operation, the contact surface of such equipment and utensils shall be cleaned and sanitised on a predetermined schedule using adequate methods for cleaning and sanitising.

(6) Sanitising agents shall be effective and safe under conditions for use.

(7) Any procedure, machine, or device may be acceptable for cleaning and sanitising equipment and utensils if it is established that such procedure, machine, or device shall routinely render equipment and utensils clean and provide adequate sanitising treatment.

420. Cleaned and sanitised portable equipment and utensils with product-contact surfaces shall be stored in such a location and manner that product-contact surfaces are protected from splash, dust, and other contamination.

Storage and handling of cleaned portable equipment and utensils with product-contact surface

421. (1) All operations in the receiving, inspecting, handling, segregating, preparing, processing, packaging, storing and transporting of food shall be conducted in such a manner and environment as not to expose the food to risk of contamination from dust, dirt or any other material objectionable to the processed product.

Process and controls

(2) Overall sanitation of the plant shall be under the supervision of an individual assigned responsibility for this function.

(3) All reasonable precautions shall be taken to ensure that production procedures shall not contribute to contamination, such as filth, harmful chemicals, undesirable micro-organisms, or any other material objectionable to the processed product.

(4) The precautions referred to in sub-regulation (3) shall include the following:



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- (a) (i) raw materials and ingredients shall be inspected and segregated as necessary to ensure that they are clean, wholesome, and fit for processing into food, and shall be stored under conditions that shall protect against contamination and minimise deterioration;
- (ii) raw materials shall be washed or cleaned as required to remove soil or other contamination;
- (iii) water used for washing, rinsing, or conveying of food products shall be of adequate quality, and shall not be re-used for washing, rinsing, or conveying products in a manner that may result in contamination of food products;
- (b) containers and carriers of raw ingredients shall be inspected on receipt to ensure that their condition cannot contribute to the contamination or deterioration of the products;
- (c) when ice is used in contact with food products, it shall be made from potable water of adequate quality and shall be manufactured, handled, stored and transported, so as to protect it from contamination;
- (d) food-processing areas and equipment used for processing food shall not be used for processing animal feed or inedible products unless there is no reasonable possibility of contamination of the human food;
- (e) (i) processing equipment shall be maintained in a sanitary condition through frequent cleaning, including sanitising, where indicated;
- (ii) in so far as necessary, equipment shall be taken apart for thorough cleaning and sanitising, where indicated;
- (f) all food processing, including packaging and storage, shall be conducted under such conditions and controls as are necessary to minimise the potential for undesirable bacterial or other micro-biological growth, toxin formation, or deterioration or contamination of the processed product or ingredients and this may require careful monitoring of such physical factors as time, temperature, humidity, pressure, flow-rate and such processing operations as freezing, dehydration, heat-processing and refrigeration as to ensure that mechanical breakdowns, time delays, temperature fluctuations, and other factors shall not contribute to the decomposition or contamination of the processed products;
- (g) chemical, micro-biological, or extraneous material testing procedures shall be utilised where necessary to identify sanitation failures or food contamination; and all foods and ingredients that have become contaminated shall be rejected or adequately treated or processed to eliminate the contamination where this may be properly accomplished;
- (h) packaging processes and materials shall not transmit contaminants or substances objectionable to the products, and shall provide adequate protection from contamination;

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- (i) (i) meaningful coding of products sold or otherwise distributed from a manufacturing, processing, packing, or repacking activity shall be utilised to enable positive lot identification to facilitate, where necessary, the segregation of specific food lots that may have become contaminated or otherwise unfit for their intended use;
- (ii) specific products, as may be specified by the Minister, shall bear prominently a date-marking, showing the last day, month and year (for instance, 1 May 76 or 1.5.76) the product may be sold;
- (j) storage and transportation of finished products shall be under such conditions as shall prevent contamination, including development of pathogenic or toxigenic micro-organisms or of both, and shall protect against undesirable deterioration of the product and the container.

422. Management shall take all reasonable measures and precautions to ensure-

Personnel

(a) disease control, so that-

- (i) no person affected by disease in a communicable form or while a carrier of such a disease, or affected with boils, sores, infected wounds, or micro-biological contamination, shall work in a food plant in any capacity in which there is a reasonable possibility of food ingredients becoming contaminated by such person or the disease being transmitted by such person to other individuals;
- (ii) thorough medical examinations shall be made on individuals prior to their employment and at regular intervals of not more than six months while they are employed in the manner referred to in sub-paragraph (i) of paragraph (a) of this regulation;
- (b) cleanliness, so that all persons while working in direct contact with food preparations, food ingredients, or surfaces or coming into contact therewith shall-
 - (i) wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty, to the extent necessary to prevent contamination of food products;
 - (ii) wash their hands thoroughly (and sanitise them, if necessary, to prevent contamination by undesirable micro-organisms) in an adequate hand-washing installation before starting work, after each absence from a work station, and at any other time when the hands may have become soiled or contaminated;
 - (iii) remove all insecure jewellery and, during periods where food is manipulated by hand, any jewellery, from the hands that cannot be adequately sanitised;
 - (iv) if gloves are used in food handling, maintain them in an intact, clean, and sanitary condition; and such gloves shall be of an impermeable material, except where their usage would be inappropriate or incompatible with work involved;
 - (v) as is necessary for the area of operation, wear effective hair restraints, such as hair nets, head-bands or caps;

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- (vi) refrain from storing clothing or other personal belongings, or from eating food or from drinking beverages, in areas where food is, or food ingredients are, exposed or in areas used for washing equipment or utensils;
 - (vii) take any other necessary precautions to prevent contamination of foods with micro-organisms or foreign substances including, but not limited to, perspiration, hair, cosmetics, tobacco, chemicals and medicaments;
 - (viii) refrain from smoking, snuffing, chewing or using tobacco in any form in areas where food is, or food ingredients are, exposed or in areas used for washing equipment or utensils;
- (c) education and training, so that-
- (i) personnel responsible for identifying sanitation failures or food contamination shall have a background of education or experience, or a combination thereof, to provide a level of competency necessary for production of clean and safe food;
 - (ii) food handlers and supervisors shall receive appropriate training in proper food-handling techniques and food-protection principles and shall be cognisant of the danger of poor personal hygiene and insanitary practices;
 - (iii) copies of regulations 410 to 422 so prominently displayed in appropriate places in a food plant;
- (d) supervision, so that-
- (i) responsibility for ensuring compliance by all personnel with all the requirements of regulations 411 to 422 shall be clearly assigned to competent supervisory personnel;
 - (ii) without prejudice to the generality of the foregoing, food handlers and supervisors, whilst engaged as such, shall ensure and take such special precautions as shall reasonably be necessary, to protect the food from risk of contamination.

Miscellaneous

423. Regulation 50 of the Public Health (Infectious Diseases) Regulations, of the Public Health Act, Cap. 295, in Volume 17 of the Laws, and the Statutory Instruments set out in the Twenty-second Schedule hereto are hereby revoked. Revocation of certain statutory instruments

FIRST SCHEDULE

(Regulations 13 and 14)

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Form 1

PART I

(Regulation 13)

Warranty for a single transaction

Invoice No..... Date of sale

Place of sale

From

To:

Nature and quality of article:

Quantity:

Price:

I/We hereby certify that the article/articles listed herein above is/are warranted to be of the nature and quality mentioned herein.

.....
*Signature of the manufacturer,
distributor or dealer*

Form 2

Warranty for a continuing transaction

From:

To:

I/We hereby give a warranty that each article/the articles I/we shall supply to you hereafter shall be of the nature and quality mentioned in our invoice recording the sale of such article/articles to you.

.....
*Signature of the manufacturer,
distributor or dealer*

PART II

(Regulation 14)



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Form of Certificate of Analysis or Examination

I,, a public analyst duly appointed under the provisions of the Food and Drugs Act, 1972, hereby certify that

I received, on the day of, 19.....,

from, a sample of for analysis/examination and I found the collector's identification on package thereof tallying with that mentioned in the sample form and the seal intact and unbroken.

I further certify that I have analysed or examined the aforementioned sample and I declare the results of the analysis or examination as follows:

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.....;

and I am of the opinion that

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.....

Signed this day of..... 19.....

Signature.....

(Name to be typed or printed)
Public Analyst

Full Address:.....

.....
.....
.....

SECOND SCHEDULE

(Regulations 15 and 39)

COMMON NAMES, AND ACCEPTABLE COMMON NAMES OF CERTAIN FOODS FOR PURPOSE OF REGULATION
31 (b) (iv)

PART I

(Regulation 15)



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| 26. | Cacao nibs, cocoa nibs, cracked cocoa | 101 |
| 27. | Chocolate, bitter chocolate, chocolate liquor | 102 |
| 28. | Sweet chocolate, sweet chocolate coating | 106 |
| 29. | Milk chocolate, sweet milk chocolate, milk chocolate coating, sweet milk chocolate coating | 107 |
| 30. | Cocoa, powdered cocoa | 108 |
| 31. | Cacao butter, cocoa butter | 109 |
| 32. | Green coffee, raw coffee, unroasted coffee | 110 |
| 33. | Roasted coffee, coffee | 111 |
| 34. | Soluble coffee | 112 |
| 35. | Coffee-chicory mixture, coffee mixed with chicory, coffee and chicory | 113 |
| 36. | Gloves | 123 |
| 37. | Ginger | 124 |
| 38. | Limed ginger, bleached ginger | 125 |
| 39. | Allspice, pimento | 126 |
| 40. | Cinnamon, cassia | 127 |
| 41. | Coylon cinnamon | 128 |
| 42. | Mace | 129 |
| 43. | Nutmeg | 130 |
| 44. | Black pepper | 131 |
| 45. | White pepper | 132 |
| 46. | Cayenne pepper, cayenne, chillies | 133 |
| 47. | Turmeric | 134 |
| 48. | Sage | 135 |
| 49. | Thyme | 136 |
| 50. | Caraway seed | 137 |
| 51. | Cardamom seed | 138 |
| 52. | Celery seed | 139 |

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PART II

(Regulation 39)

Acceptable Common Names of certain Foods for the purpose of regulation (b) (iv)

| <i>Column 1. Common Name.</i> | <i>Column 2 Foods</i> |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Vegetable gum. | One or more of acacia gum, agar, algin, carob bean gum, carrageenan, guar gum, karaya gum, locust bean gum, oat gum, pectin, propylene glycol alginate, tragacanth gum |
| 2. Animal fat..... | One or more animal fats |
| 3. Animal oil..... | One or more animal oils |
| 4. Vegetable fat..... | One or more vegetable fats |
| 5. Vegetable oil..... | One or more vegetable oils |
| 6. Marine oil..... | One or more marine fats, and oils |
| 7. Bleaching, maturing or dough conditioning agent..... | One or more of the food additives listed in Part II of the Nineteenth Schedule |
| 8. Yeast foods..... | One or more of the food additives listed in Part XIV of the Nineteenth Schedule |
| 9. Glazing or polishing agent..... | One or more of the food additives listed in Part VII of the Nineteenth Schedule |
| 10. Colour..... | One or more of the colours listed in Part III of the Nineteenth Schedule |
| 11. Flavour..... | One or more of the natural flavours |
| 12. Artificial flavour..... | One or more of the artificial flavours |
| 13. Spices or seasoning..... | One or more of the spices or seasonings |
| 14. Leavening agent..... | One or more of the leavening agents |
| 15. Herbs..... | One or more of the herbs |
| 16. Starches..... | One or more of the starches except modified starches |
| 17. Anti-caking agents..... | One or more of the food additives listed in Part I of the Nineteenth Schedule |
| 18. Anti-oxidants..... | One or more of the permitted anti-oxidants |
| 19. Emulsifiers..... | One or more of the food additives listed in Part IV of the Nineteenth Schedule |
| 20. Preservatives..... | One or more of the food additives listed in Part XIA of the Nineteenth Schedule |
| 21. Stabilisers..... | One or more of the food additives listed in Part IV of the Nineteenth Schedule |
| 22. Thickening agents (including modified starches)..... | One or more of the food additives listed in Part IV of the Nineteenth Schedule |

THIRD SCHEDULE

(Regulation 178)

VARIETIES OR TYPES OF RECOGNISED CHEESE AND THEIR MINIMUM MILK FAT CONTENTS ON THE DRY BASIS

| <i>Column 1 Varieties or Types of Recognised Cheese.</i> | <i>Column 2 Minimum Milk Fat Content</i> |
|--------------------------------------------------------------|----------------------------------------------|
| PART I | |
| Cheddar, and wensleydale..... | 50 |



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PART II

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Alpin, asiago, blue vein, bel paese, brick, camembert, Cheshire, feta, gouda, gorgonzola, granular, Stilton, limburger, neufchatel, port du salut, requefort..... | 48 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|

PART III

| | |
|---------------------------------------------------------------------|----|
| Esrom, havarti, maribo, pasta filata, samsoe, steppe, tilsiter..... | 45 |
|---------------------------------------------------------------------|----|

PART IV

| | |
|----------------------------------------------|----|
| Emmenthal or emmentaler, gruyere, Swiss..... | 43 |
|----------------------------------------------|----|

PART V

| | |
|-------------------------|----|
| Brie, edam, leyden..... | 40 |
|-------------------------|----|

PART VI

| | |
|--------------------------------------------------|----|
| Parmesan, romano, other hard grating cheese..... | 32 |
|--------------------------------------------------|----|

PART VII

| | |
|----------------------------------------------------------------|----|
| Part skim pizza, part skim mozzarella, part skim scamorza..... | 30 |
|----------------------------------------------------------------|----|

FOURTH SCHEDULE

(Regulation 201)

COMPOSITION AND QUALITY FACTORS OF ARACHIS OIL

| | |
|----------------------------------------------------|----------------------------------------------------------------|
| Relative density (20°C/water at 20°C)..... | Not less than 0.914 and not more than 0.917 |
| Refractive index at 40°C..... | Not less than 1.460 and not more than 1.465 |
| Saponification value (milligram KOH per gram)..... | Not less than 187 and not more than 196 |
| Iodine value (Wijs)..... | Not less than 80 and not more than 106 |
| Unsaponifiable matter..... | Not more than 10 grams per kilogram |
| Arachidic and higher fatty acid..... | Not more than 48 grams per kilogram |
| Acid value..... | Not more than 4 milligrams KOH per gram |
| Peroxide value..... | Not more than 10 milliequivalents peroxide oxygen per kilogram |
| Insoluble impurities..... | Not more than 0.05 per centum |
| Matter volatile at 105°C..... | Not more than 0.2 per centum |
| Soap content..... | Not more than 0.005 per centum |

FIFTH SCHEDULE

(Regulation 202)

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The Laws of Zambia

COMPOSITION AND QUALITY FACTORS OF COTTONSEED OIL

| | |
|----------------------------------------------------|----------------------------------------------------------------|
| Relative density (20°C/water at 20°C)..... | Not less than 0.918 and not more than 0.926 |
| Refractive index at 40°C..... | Not less than 1.458 and not more than 1.466 |
| Saponification value (milligram KOH per gram)..... | Not less than 189 and not more than 198 |
| Iodine value (Wijs)..... | Not more than 99 and not less than 119 |
| Unsaponifiable matter..... | Not more than 15 grams per kilogram |
| Halphen test..... | Positive |
| Acid value..... | Not more than 0.6 milligrams KOH per gram |
| Peroxide value..... | Not more than 10 milliequivalents peroxide oxygen per kilogram |
| Insoluble impurities..... | Not more than 0.05 per centum |
| Matter volatile at 105°C..... | Not more than 0.2 per centum |
| Soap content..... | Not more than 0.005 per centum |

SIXTH SCHEDULE

(Regulation 203)

COMPOSITION AND QUALITY FACTORS OF MAIZE OIL

| | |
|----------------------------------------------------|----------------------------------------------------------------|
| Relative density (20°C/water at 20°C)..... | Not less than 0.917 and not more than 0.925 |
| Refractive index at 40°C..... | Not less than 1.465 and not more than 1.468 |
| Saponification value (milligram KOH per gram)..... | Not less than 187 and not more than 195 |
| Iodine value (Wijs)..... | Not less than 103 and not more than 128 |
| Unsaponifiable matter..... | Not more than 28 grams per kilogram |
| Acid value..... | Not more than 4 milligrams KOH per gram |
| Peroxide value..... | Not more than 10 milliequivalents peroxide oxygen per kilogram |
| Matter volatile at 105°C..... | Not more than 0.2 per centum |
| Insoluble impurities..... | Not more than 0.05 per centum |
| Soap content..... | Not more than 0.005 per centum |

SEVENTH SCHEDULE

(Regulation 204)

COMPOSITION AND QUALITY FACTORS OF MUSTARD SEED OIL

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| Zoom out: Command - | Zoom out: Ctrl - |

The Laws of Zambia

| | |
|----------------------------------------------------|------------------------------------------------------------|
| Relative density (20°C/water at 20°C)..... | Not less than 0.910 and not more than 0.921 |
| Refractive index at 40°C..... | Not less than 1.461 and not more than 1.469 |
| Saponification value (milligram KOH per gram)..... | Not less than 170 and not more than 184 |
| Iodine value (Wijs)..... | Not less than 92 and not more than 125 |
| Unsaponifiable matter..... | Not more than 15 grams per kilogram |
| Allyl isothiocyanate..... | Not more than 4 grams per kilogram |
| Acid value..... | Not more than 4 milligram KOH per gram |
| Peroxide value..... | Not more than 10 milliequivalents peroxide oxygen per gram |
| Matter volatile at 105°C..... | Not more than 0.2 per centum |
| Insoluble impurities..... | Not more than 0.05 per centum |
| Soap content..... | Not more than 0.005 per centum |

EIGHTH SCHEDULE

(Regulation 205)

COMPOSITION AND QUALITY FACTORS OF OLIVE OIL

| | |
|----------------------------------------------------|----------------------------------------------------------------|
| Relative density(20°C/water at 20°C)..... | Not less than 0.910 and not more than 196 |
| Refractive index at 20°C..... | Not less than 1.468 and not more than 1.471 |
| Saponification value (milligram KOH per gram)..... | Not less than 184 and not more than 196 |
| Iodine value (Wijs)..... | Not less than 75 and not more than 94 |
| Unsaponifiable matter..... | Not more than 15 grams per kilogram |
| Bellier index..... | Not more than 17 |
| Semi-siccative oil test..... | Negative |
| Olive residue oil test..... | Negative |
| Cottonseed oil test..... | Negative |
| Teaseed oil test..... | Negative |
| Sesameseed oil test..... | Negative |
| Acid value..... | Not more than 6.6 milligrams KOH per gram oil |
| Peroxide value..... | Not more than 20 milliequivalents peroxide oxygen per kilogram |
| Matter volatile at 105°C..... | Not more than 0.2 per centum |
| Insoluble impurities..... | Not more than 0.1 per centum |
| Soap test..... | Negative |

NINTH SCHEDULE

(Regulation 206)

COMPOSITION AND QUALITY FACTORS OF RAPESEED OIL

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Search: Ctrl + F
Zoom in: Ctrl +
Zoom out: Ctrl -

The Laws of Zambia

| | |
|----------------------------------------------------|----------------------------------------------------------------|
| Relative density (20°C/water at 20°C)..... | Not less than 0.910 and not more than 0.920 |
| Refractive index at 40°C..... | Not less than 1.465 and not more than 1.469 |
| Saponification value (milligram KOH per gram)..... | Not less than 168 and not more than 181 |
| Iodine value (Wijs)..... | Not less than 94 and not more than 120 |
| Crismer value..... | Not less than 80 and not more than 85 |
| Unsaponifiable matter..... | Not more than 20 grams per kilogram |
| Acid value..... | Not more than 4 milligrams KOH per gram |
| Peroxide value..... | Not more than 10 milliequivalents peroxide oxygen per kilogram |
| Matter volatile at 105°C..... | Not more than 0.2 per centum |
| Insoluble impurities..... | Not more than 0.05 per centum |
| Soap content..... | Not more than 0.005 per centum |

TENTH SCHEDULE

(Regulation 207)

COMPOSITION AND QUALITY FACTORS OF SAFFLOWERSEED OIL

| | |
|--------------------------------------------------------|----------------------------------------------------------------|
| Relative density (20°C/water at 20°C)..... | Not less than 0.922 and not more than 0.927 |
| Refractive index at 40°C..... | Not less than 1.467 and not more than 1.470 |
| Saponification value (milligram KOH per gram oil)..... | Not less than 186 and not more than 198 |
| Iodine value (Wijs)..... | Not less than 135 and not more than 150 |
| Unsaponifiable matter..... | Not more than 15 grams per kilogram |
| Acid value..... | Not more than 0.6 milligrams KOH per gram |
| Peroxide value..... | Not more than 10 milliequivalents peroxide oxygen per kilogram |
| Matter volatile at 105°C..... | Not more than 0.2 per centum |
| Insoluble impurities..... | Not more than 0.05 per centum |
| Soap content..... | Not more than 0.005 per centum |

ELEVENTH SCHEDULE

(Regulation 208)

COMPOSITION AND QUALITY FACTORS OF SESAMESEED OIL

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Zoom in: Ctrl +
Zoom out: Ctrl -

The Laws of Zambia

| | |
|----------------------------------------------------|----------------------------------------------------------------|
| Relative density (20°C/water at 20°C)..... | Not less than 0.1915 and not more than 0.923 |
| Refractive index at 40°C..... | Not less than 1.465 and not more than 1.469 |
| Saponification value (milligram KOH per gram)..... | Not less than 187 and not more than 195 |
| Iodine value (Wijs)..... | Not less than 104 and not more than 120 |
| Unsaponifiable matter..... | Not more than 20 grams per kilogram |
| Acid value..... | Not more than 4 milligrams KOH per gram |
| Peroxide value..... | Not more than 10 milliequivalents peroxide oxygen per kilogram |
| Matter volatile at 105°C..... | Not more than 0.2 per centum |
| Insoluble impurities..... | Not more than 0.05 per centum |
| Soap content..... | Not more than 0.005 per centum |

TWELFTH SCHEDULE

(Regulation 209)

COMPOSITION AND QUALITY FACTORS OF SOYA BEAN OIL

| | |
|--------------------------------------------------------|---------------------------------------------|
| Relative density (20°C/water at 20°C)..... | Not less than 0.919 and not more than 0.925 |
| Refractive index at 40°C..... | Not less than 1.466 and not more than 1.470 |
| Saponification value (milligram KOH per gram oil)..... | Not less than 189 and not more than 195 |
| Iodine value (Wijs)..... | Not less than 120 and not more than 143 |
| Unsaponifiable matter..... | Not more than 15 grams per kilogram |
| Acid value..... | Not more than 4 milligrams KOH per gram |
| Matter volatile at 105°C..... | Not more than 0.2 per centum |
| Insoluble impurities..... | Not more than 0.05 per centum |
| Soap content..... | Not more than 0.005 per centum |

THIRTEENTH SCHEDULE

(Regulation 210)

COMPOSITION AND QUALITY FACTORS OF SUNFLOWERSEED OIL

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 Search: Ctrl + F
 Zoom in: Ctrl +
 Zoom out: Ctrl -

The Laws of Zambia

| | |
|----------------------------------------------------|------------------------------------------------------------|
| Relative density (20°C/water at 20°C)..... | Not less than 0.918 and not more than 0.923 |
| Refractive index at 40°C..... | Not less than 1.467 and not more than 1.469 |
| Saponification value (milligram KOH per gram)..... | Not less than 188 and not more than 194 |
| Iodine value (Wijs)..... | Not less than 110 and not more than 143 |
| Unsaponifiable matter..... | Not more than 15 grams per kilogram |
| Acid value..... | Not more than 4 milligrams KOH per gram |
| Peroxide value..... | Not more than 10 milliequivalents peroxide oxygen per gram |
| Matter volatile at 105°C..... | Not more than 0.2 per centum |
| Insoluble impurities..... | Not more than 0.05 per centum |
| Soap content..... | Not more than 0.005 per centum |

FOURTEENTH SCHEDULE

(Regulation 211)

COMPOSITION AND QUALITY FACTORS OF REFINED OIL

| | |
|-------------------------------|------------------------------------------------------------|
| Acid value..... | Not more than 0.6 milligrams KOH per gram |
| Peroxide value..... | Not more than 10 milliequivalents peroxide oxygen per gram |
| Matter volatile at 105°C..... | Not more than 0.2 per centum |
| Insoluble impurities..... | Not more than 0.05 per centum |
| Soap content..... | Not more than 0.005 per centum |

FIFTEENTH SCHEDULE

(Regulation 214)

COMPOSITION AND QUALITY FACTORS OF LARD

| | |
|----------------------------------------------------|----------------------------------------------------------------|
| Relative density (40°C/water at 20°C)..... | Not less than 0.896 and not more than 0.904 |
| Refractive index at 40°C..... | Not less than 1.448 and not more than 1.460 |
| Titre (°C)..... | Not less than 32 and not more than 45 |
| Saponification value (milligram KOH per gram)..... | Not less than 192 and not more than 203 |
| Iodine value (Wijs)..... | Not less than 45 and not more than 70 |
| Unsaponifiable matter..... | Not more than 10 grams per kilogram |
| Acid value..... | Not more than 1.3 milligrams KOH per gram |
| Peroxide value..... | Not more than 10 milliequivalents peroxide oxygen per kilogram |
| Matter volatile at 105°C..... | Not more than 0.3 per centum |
| Impurities..... | Not more than 0.05 per centum |
| Soap content..... | Nil |

SIXTEENTH SCHEDULE

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The Laws of Zambia

(Regulation 215)

COMPOSITION AND QUALITY FACTORS OF EDIBLE TALLOW

| | |
|----------------------------------------------------|--------------------------------------------------------------------|
| Relative density (40°C/water at 20°C)..... | Not less than 0.893 and not more than 0.904 |
| Refractive index at 40°C..... | Not less than 1.448 and not more than 1.460 |
| Titre (°C)..... | Not less than 40 and not more than 49 |
| Saponification value (milligram KOH per gram)..... | Not less than 190 and not more than 202 |
| Iodine value (Wijs)..... | Not less than 32 and not more than 50 |
| Unsaponifiable matter..... | Not more than 12 grams per kilogram |
| Acid value..... | Not more than 2.5 milligrams KOH per gram |
| Peroxide value..... | Not more than 16 milliequivalents peroxide oxygen per kilogram fat |
| Matter volatile at 105°C..... | Not more than 0.3 per centum |
| Impurities..... | Not more than 0.05 per centum |
| Soap content..... | Not more than 0.005 per centum |

SEVENTEENTH SCHEDULE

(Regulations 245 and 260)

USE OF AND LIMITS FOR FOOD COLOURS PERMITTED IN CANNED VEGETABLES AND CANNED FRUITS

PART I

(Regulation 245)

Use of and Limits for Food Colours Permitted in Canned Vegetables

| <i>Name of Canned Vegetable</i> | <i>Permitted Food Colour</i> | <i>Maximum Limits</i> |
|---------------------------------|-----------------------------------------------|------------------------------------------------------|
| Green beans, axe beans. | Tartrazine. | 100 milligrams per kilogram |
| Mushrooms. | Caramel-for use in sauces. | Limited by good manufacturing practice |
| Green peas. | Tartrazine, brilliant blue. FCF, carotene, | 100 milligrams per kilogram singly or in combination |
| Mature process peas. | Tartrazine. | 100 milligrams per kilogram |

PART II

(Regulation 260)



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Use of and Limits for Food Colours Permitted in Canned Fruits

| <i>Name of Canned Fruit</i> | <i>Permitted Food Colour</i> | <i>Maximum Limits</i> |
|-------------------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------|
| Canned plum (in red or purple plums only) | Erythrosine. | 100 milligrams per kilogram |
| Canned raspberries. | Erythrosine. | 100 milligrams per kilogram |
| Canned fruit. | Erythrosine (to colour cherries only, if artificially coloured cherries are used) | 100 milligrams per kilogram |
| Canned pears. | Erythrosine, amaranth, fast green FCF, tartrazine. | 100 milligrams per kilogram singly or in combination |
| Canned tropical fruit. salad. | Erythrosine (to colour. cherries only, if artificially coloured cherries are used) | 100 milligrams per kilogram |
| Canned strawberries. | Erythrosine. | 100 milligrams per kilogram |

EIGHTEENTH SCHEDULE
 (Regulation 324)

EXEMPTION LIMITS FOR POISONOUS OR HARMFUL SUBSTANCES IN FOOD FOR SALE
 Part I

| Foods | Substance in parts per million | | | | | |
|-------|--------------------------------|--------|------|------|---------|-----|
| | Arsenic | Copper | Iron | Lead | Mercury | Tin |
| | | | | | | |



Ministry of Health



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| Foods | Substance in parts per million | | | | | |
|-----------------------------------------------------------------------|--------------------------------|--------|------|------|---------|-------|
| | Arsenic | Copper | Iron | Lead | Mercury | Tin |
| 1. Aluminium compounds | 3.0 | 50.0 | - | 10.0 | - | - |
| 2. Apple juice | - | 5.0 | 10.0 | 0.3 | - | 150.0 |
| 3. Apricot nectar | 0.2 | - | 15.0 | 0.3 | - | 250.0 |
| 4. Baking powder | 2.0 | 50.0 | - | 10.0 | - | - |
| 5. Beverages, as consumed and bottled water, other than mineral water | 0.1 | 2.0 | - | 0.2 | - | - |
| 6. Calcium phosphate | 4.0 | 30.0 | - | 5.0 | - | - |
| 7. Canned fruits and vegetables | - | - | - | 0.5 | - | 250.0 |
| 8. Citric acid | 1.0 | 50.0 | - | 10.0 | - | - |
| 9. Cocoa butter | 0.5 | 0.4 | 20.0 | 0.5 | - | - |
| 10. Cream of tartar | 2.0 | 50.0 | 50.0 | 20.0 | - | - |
| 11. Dextrose, anhydrous | 1.0 | 2.0 | - | 2.0 | - | - |
| 12. Dextrose monohydrate | 1.0 | 2.0 | - | 2.0 | - | - |
| 13. Dried herbs, spices and curry powder | 50.0 | 50.0 | - | 10.0 | - | - |
| 14. Edible bone meal.. | 1.0 | 20.0 | - | 10.0 | - | - |
| 15. Fish protein | 3.5 | - | - | 0.5 | - | - |
| 16. Fish, tuna | - | - | - | - | 0.3 | - |
| 17. Fish, other | - | - | - | - | 0.2 | - |
| 18. Foods not specified | 1.0 | 20.0 | 10.0 | 2.0 | 0.1 | 250.0 |
| 19. Fresh fruits | 2.0 | 50.0 | - | 7.0 | - | - |
| 20. Fresh vegetables | 1.0 | 50.0 | - | 2.0 | - | - |
| 21. Gelatin | 2.0 | 30.0 | - | 7.0 | - | - |
| 22. Gelling agents, except gelatin | 2.0 | 50.0 | - | 20.0 | - | - |
| 23. Glucose syrup | 1.0 | 5.0 | - | 2.0 | - | - |
| 24. Glucose syrup, dried | 1.0 | 5.0 | - | 2.0 | - | - |
| 25. Grapefruit juice | - | 5.0 | 15.0 | 0.3 | - | 250.0 |
| 26. Grape juice | - | 5.0 | 15.0 | 0.3 | - | - |
| 27. Lactose | 1.0 | 2.0 | - | 2.0 | - | - |
| 28. Lemon juice | - | 5.0 | 15.0 | 1.0 | - | 250.0 |
| 29. Liver | 1.0 | 150.0 | - | 2.0 | - | - |
| 30. Marine and fresh water animal products | 5.0 | 100.0 | - | 10.0 | - | - |
| 31. Orange juice | - | 5.0 | 15.0 | 0.3 | - | 250.0 |
| 32. Peach nectar | 0.2 | 5.0 | 15.0 | 0.3 | - | 250.0 |
| 33. Pear nectar | - | 5.0 | 15.0 | 0.3 | - | 250.0 |
| 34. Phosphoric acid | 4.0 | 30.0 | - | 5.0 | - | - |
| 35. Refined oils and fats | 0.1 | 0.1 | 1.5 | 0.1 | - | - |
| 36. Self-raising flour | - | - | - | - | - | - |
| 37. Sodium bicarbonate | 2.0 | 50.0 | - | 5.0 | - | - |
| 38. Sodium nitrite | 1.0 | 50.0 | - | 20.0 | - | - |
| 39. Sodium and potassium nitrates | 1.0 | 50.0 | - | 10.0 | - | - |
| 40. Sodium, potassium and ammonium phosphates | 4.0 | 30.0 | - | 5.0 | - | - |
| 41. Sugar, powdered | 1.0 | 2.0 | - | 2.0 | - | - |
| 42. Sugar, soft.. | 1.0 | 10.0 | - | 2.0 | - | - |
| 43. Sugar, white | 1.0 | 2.0 | - | 2.0 | - | - |
| 44. Tartaric acid | 1.0 | 50.0 | - | 10.0 | - | - |
| 45. Tea.. | 1.0 | 150.0 | - | 10.0 | - | - |
| 46. Tomato juice | - | 5.0 | 15.0 | 0.3 | - | - |
| 47. Virgin oils.. | 0.1 | 0.4 | 5.0 | 0.1 | - | - |

Part II

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-------------|-------------------------------------------------------------------|--------------------------------------|-------------------|--------------------|
| Aldicarb | 2-methyl-2-(methylthio)propionaldehyde O-(methyl carbamoyl) oxime | | 0.1 | Cottonseed |
| Aldrin | 1,2,3,4,10,10-hexachloro-1,4,4a, | | 0.2 | Beets, carrots, p: |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-----------------------|---------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| | ,8,8a-hexahydro-exo-1,4- ndo-5,8-di ethanonaphthalene | | 0.1 | potatoes, turnip Maize grain, mar sorghum grain spinach, sweet |
| Aluminium hosphide | Aluminium phosphide | Phostoxin | 0.1 0.01 | Raw cereals Flour and other n products, brea cereals, dried vegetables, sp |
| Anilazine | 2,4-dichloro-6-(2-chloroanilino)- 1,3,5-triazine | Dyrene | 20 10 | Strawberries Blueberries, cele cranberries, cu garlic, goosebe huckleberries, onions, shallot tomatoes |
| | | | 5 | Blackberries, cantaloupes, c dewberries, ho melons, logant muskberries, s pumpkins, rasp watermelons |
| Atrazine | 2-chloro-4-ethylamino-6- isopropylamino-1,3,5-triazine | | 1.0 0.25 | Potatoes Maize grain, sorc grain, sugar ce wheat grain |
| | | | 0.02 | Eggs, milk, meat and meat by-p of cattle, goats horses, poultry sheep |
| Azinphosmethyl | S-[3,4-dihydro-4-oxobenzo(d)- (1,2,3)-triazin-3-ylmethyl] dimethyl phosphorothiothionate | Guthion | 4.0 1.0 0.5 | Apricots, grapes Other fruits Vegetables |
| Benomyl | Methyl-N-[1-(butylcarbamoyl)- 2-benzimi-dazole]carbamate | Benlate | 15 | Apricots, cherries nectarines, pe (including fres |
| | | | 2.0 1.0 | Snap beans (suc Cucumbers, mel summer squas winter squash |
| Binapacryl | 2-(1-methyl-n-propyl)4,6- dinitrophenyl 2-methylcrotonate | Morocide | 0.2 1.0 0.5 0.3 0.2 | Banana pulp, pe sugarbeet root Peaches, cherrie Apples, pears, gr Plums Nectarines |
| Bonaid | Ethyl 4-hydroxy-6,7- disobutoxy-3-quinoline carboxylate | | 0.4 | Poultry meat and by-products, ki and liver of poi poultry skin an underlying fat |
| Bromophos | 4-bromo-2,5-dichlorophenyl diethyl phosphorothionate | | 0.1 1.5 | Muscle of poultry Apples |
| Calcium cyanide | Calcium cyanide | | 25 | Barley, maize, ric oats, sorghum |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-------------|------------------------------------------------------------------|--------------------------------------|--------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| Captafol | N-(1,1,2,2-tetrachloroethylthio)-3a,4,7,7a-tetrahydrophthalimide | Diflotan | 15 10 2.0 5 2.0 1.0 0.5 0.2 | Peaches Cherries (sour) Cherries (sweet) Tomatoes Melons (whole) Cucumbers (who Apricots Plums |
| Captan | N-(trichloro-methylthio)-3a,4,7,7a-tetrahydrophthalimide | | 40 30 20 15 | Apples, cherries Pears Appricots Citrus fruits, pear plums, rhubarb tomatoes |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-----------------------------|--------------------------------------------------------------|--------------------------------------|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| Captan- <i>continued</i> | | | 10 | Strawberries, raspberries cumcumber lettuce, ma |
| Carbaryl | l-naphthyl methylcarbamate | Sevin | 5 10 | Raisins Raspberries, bla boysenberi nectarines, leafy veget brassica), l (fresh), sur avacadoes |
| | | | 7 | Citrus fruits, figs, ulberries, s blueberries |
| | | | 5 | Apples, bananas beans, pee brassica, t eggplant, |
| | | | 0.5 3.0 2.5 1.0 | Poultry (total) (ec Cucurbits (includ Rice Cottonseed (who (kernels), r (shelled), c meat of ca sorghum |
| Carbofuran | 2,3-dihydro-2,2,-dimethyl benzofuran-7-yl methylcarbamate | Furadan | 0.5 0.2 0.5** 0.2** 0.1** | Onions Potatoes Turnips Rice |
| Carbophenothion | S-(4-chlorophenylthiomethyl) diethyl phosphorothiolothionate | Trithion Garrathion | 2.0 | Maize grain, sug; Grapefruit, lemor limes, oran sorghum g tangelos, t; |



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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|----------------|-------------------------------------------------|--------------------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| Chinomethionat | 6-methyl-2-oxo-1,3-dithiolo (4,5-b)-quinoxaline | Morestan | 0.8 | Apples, apricots, (succulent cantaloupe crabapples eggplants, nectarines, bulb), onion pears, pea peppers, p (succulent strawberries, tomatoes, ') |
| | | | 0.2 | Maize (kernels pl removed) |
| | | | 0.1 | Fat of cattle, goa hogs and s |
| | | | 6.0 | Strawberries |
| | | | 4.0 | Apricots, peache |
| Chlorbenside | 4-chlorobenzyl 4-chlorophenyl sulphide | | 3.0 | Cherries |
| | | | 1.5 | Apples, honeyde muskmeloi pears, surr |
| | | | 1.0 | Plums (fresh pru |
| | | | 0.75 | Cucumbers, wate squash |
| | | | 3.0 | Apples, apricots, crabapple grapes, n peaches, strawberr |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

**Including its metabolite 2,3-dihydro-2,2-dimethyl-3-hydroxy-7-benzofuranyl N-methylcarbamate.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-------------|-------------------------------------------------------------------|--------------------------------------|-------------------|-------------------------------------------------------|
| Chlordane | 1,2,4,5,6,7,8-octachloro-3a,4,7,7a-tetrahydro-4,7-methyleneindane | | 0.3 | Potatoes, sweet rutabagas, turnip parsnips, sugarb |
| | | | 0.2 | Asparagus, brocc cabbage, celery, greens, spinach |
| | | | 0.2 | Swiss chard, lett |
| | | | 0.02 | Beans, peas, egg collards, wheat, r (polished), maize |
| | | | 0.05 | Sorghum |
| | | | 0.1 | Cantaloupes, cuc squash, waterm |
| | | | 0.1 | Almonds, banan; fiberts, mangoes papayas, pecans |
| | | | 0.1 | Pomegranates, strawberries, wal |
| | | | 0.02 | Citrus, pome anc |
| | | | 0.5 | Crude soyabean |
| | | | 0.1 | Crude cottonsee |
| | | | 0.02 | Edible cottonsee |
| 0.02 | Edible soyabean | | | |
| 0.05 | Milk and milk pro | | | |
| 0.05 | Fat of meat and i | | | |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|---------------------------------|-----------------------------------------------------------------------|--------------------------------------|-------------------|------------------------------------------------------------------------------------------------|
| Chlorfenson | 4-chlorophenyl | Ovex | 0.02 | Eggs (shell-free) |
| Chlorfenvinphos | 4-chlorobenzenesulphonate | Ovotran | 5.0 | Citrus fruits |
| | 2-chloro-1-(2,4-dichlorophenyl) vinyl diethyl phosphate | Birlane | 3.0 | Apples, peaches |
| Clopidol (Coyden 25) | 3,5-dichloro-2,6-dimethyl-4-pyridinol | | 0.4 | Carrots, celery |
| | | | 0.2 | Meat (fat basis) |
| Chlorobenzilate | Ethyl 4,4'-dichlorodiphenylglycollate or ethyl 4,4'-dichlorobenzilate | | 0.2 | Milk and milk pro |
| | | | 0.1 | Cauliflower, radis tomatoes |
| Chlorphenamidine | NN-dimethyl-N'-(2-methyl-4-chlorophenyl)-formamidine | | 0.05 | Brussels sprouts swedes, turnips, potatoes, onions mushrooms, pea wheat grain, cotti polished) |
| | | | 25 | Uncooked liver a kidney of poultry |
| Chlorophenamidine hydrochloride | NN-dimethyl-N'-(2-methyl-4-chlorophenyl)-formamidine hydrochloride | | 10 | Uncooked tissue |
| | | | 5.0 | Apples, pears (w fruit) |
| Chlorophenamidine hydrochloride | NN-dimethyl-N'-(2-methyl-4-chlorophenyl)-formamidine hydrochloride | | 1.0 | Citrus fruit (whole) |
| | | | 0.2 | Almonds, walnut: |
| Chlorophenamidine hydrochloride | NN-dimethyl-N'-(2-methyl-4-chlorophenyl)-formamidine hydrochloride | | 1.0 | Melons, cantalou |
| | | | 5.0 | Pears |
| Chlorophenamidine hydrochloride | NN-dimethyl-N'-(2-methyl-4-chlorophenyl)-formamidine hydrochloride | | 4.0 | Peaches |
| | | | 3.0 | Apples |
| Chlorophenamidine hydrochloride | NN-dimethyl-N'-(2-methyl-4-chlorophenyl)-formamidine hydrochloride | | 5.0 | Pears |
| | | | 4.0 | Peaches, plums, |
| Chlorophenamidine hydrochloride | NN-dimethyl-N'-(2-methyl-4-chlorophenyl)-formamidine hydrochloride | | 3.0 | Apples, Brussels |
| | | | 2.0 | Broccoli |
| Chlorophenamidine hydrochloride | NN-dimethyl-N'-(2-methyl-4-chlorophenyl)-formamidine hydrochloride | | 0.5 | Cabbages |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|------------------|-----------------------------------------------------------------|--------------------------------------|-------------------|-----------------------------------------------------------------------|
| Chlorpropham | Isopropyl N-(3-chlorophenyl) carbamate | Chloro-IPC CIPC | 50 | Potatoes |
| Chloropropylate | Isopropyl 4,4'-dichlorobenzilate | | 3.0 | Apples, pears, ci |
| Chlorthal methyl | Dimethyl ester of 2,3,5,6-tetrachloroterephthalic acid | Dacthal | 1.0 | Tomatoes, canta |
| | | | 5 | Mustard greens, turnip greens |
| Chlorthal methyl | Dimethyl ester of 2,3,5,6-tetrachloroterephthalic acid | Dacthal | 2.0 | Beans, black-eye lettuce, peppers, soybeans, strawt potatoes, turnips |
| | | | 1.0 | Broccoli, Brussel cantaloupes, gar onions, summer water melons, wi |
| Coumaphos | 3-chloro-4-methyl-7-coumarinyl diethyl phosphorothionate | Co-Ral | 0.05 | Maize grain, pop (kernels plus cob) |
| | | | 0.5 | Egs (shell-free) |
| Crufomate | 4-tertiary butyl-2-chlorophenyl methyl-N-methylphosphoroamidate | | 0.05 | Meat (including p |
| | | | 1.0 | Whole milk Meat (fat basis) |

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|----------------------------------|------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dalapon-Na | Sodium 2,2 dichloropropionate | Dowpon Radapon | 35 30 15 10 5 | Peaches, plums Asparagus Peas Maize grain, dried cobs), potatoes, fruits Bananas, grapefruit and tops), tangerine (including sweet with husk removed) Apples, grapes, pears Coffee Apricots |
| DDT | 1,1,1-trichloro-2,2-di-(4-chlorophenyl) ethane | Arkotine | 3.0 2.0 1.0 7 1.0 3.5 0.5 1.25 0.5 65 | Apples, pears, peaches, apricots, small fruits (strawberries), vegetables or poultry (including maize, millets, sorghum, sunflower seed (including strawberries, root crops) Cherries, plums, Whole milk Milk products (fat free) Eggs (shell-free) Strawberries |
| Dehydroacetic acid (sodium salt) | 3-acetyl-6-methyl-2,4-pyridindione, sodium salt | | 10 1.25 0.75 | Bananas (edible) Grapes, hops Almonds, apples, barley grain, broccolis, Brussels sprouts, cauliflower, celeriac, lemon, lettuce, nectarines, oat grass, peaches, pears, peppers, plums, tomatoes, walnut Sugarbeets Sorghum grain |
| Demeton | A mixture of diethyl 2-(ethylthio)ethyl phosphorothionate and diethyl-2-(ethylthio)ethyl phosphorothiolate | | 0.5 0.2 | |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|----------------------|-------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Diazinon | Diethyl 2-isopropyl-6-methyl-4-Pyrimidinyl phosphorthionate | Basudin | 0.7 0.5 0.7 0.5 0.1 0.5 0.5 0.7 2.0 0.7 | Peaches, citrus fruits, cherries Other fruits Leafy vegetables Other vegetables Wheat, barley, rice Almonds, walnuts, peanuts (shelled) Cottonseed, safflower seed Sweet corn (kernel husks removed) Olives and olive oil Fat of meat of cattle |
| Dibromochloropropane | 1,2-dibromo-3-chloropropane | Fumazone Nemagon Fumagon | 130 125 75 | Endive, lettuce Bananas (in pulp) Beans, carrots, celeriac, parsnips, radishes |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-----------------|----------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------|-------------------------------------------------------------------|
| | | | 50 | Broccoli, Brussel cantaloupes eggplants, h muskmelon: pineapples, |
| | | | 25 | Blackberries, boy cucumbers, loganberries squash |
| | | | 20 | Citrus fruits |
| | | | 10 | Strawberries, wa |
| Dichlone | 2,3-dichloro-1,4-naphtho-quinone | | 5 | Apricots, nectarir |
| | | | 15 | Strawberries |
| | | | 3.0 | Apples, beans, c peaches, pl tomatoes |
| Dichlorvos DDVP | 2,2 dichloro-vinyl dimethyl phosphate | DDVS Nogos Vapona | 5.0 | Cocoa beans |
| | | | 2.0 | Raw grain (whea rye, oats, be etc.) |
| | | | 0.5 | Milled products fr |
| | | | 2.0 | Coffee beans, so peanuts |
| | | | 0.5 | Mushrooms |
| | | | 0.5 | Fresh vegetables |
| | | | 1.0 | Lettuce |
| | | | 0.5 | Tomatoes |
| | | | 0.1 | Fresh fruit (apple strawberries |
| | | | 0.05 | Meat of cattle, sh poultry |
| | | | 0.05 | Eggs (shell-free) |
| | | | 0.02 | Milk (whole) |
| | | | 0.1 | Miscellaneous fo specified |
| Dicloran | 2,6-dichloro-4-nitroaniline | Botran Allisan | 20 | Apricots, nectarir peaches, sw beans |
| | | | 15 | Blackberries, boy raspberries, |
| | | | 5 | Cucumbers, garli |
| | | | 1.0 | Plums (fresh prui |
| | | | 0.25 | Potatoes |
| Dicofol | 2,2,2-trichloro-1,1-di(4-chlorophenyl)ethanol | Kelthane | 5 | Fruit, hops, vege tea (dry mar |
| Dieldrin | 1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a octahydro-exo-1,4-endo exo-5,8 dimethanonaphthalene | | 0.1 | Asparagus, bean broccoli, Bru sprouts, cat cauliflower, chine |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-------------------------------|---------------|--------------------------------------|-------------------|-------------------------------------------------------------------------------|
| Dieldrin- <i>continued</i> | | | 0.1 | cabbage, cc cucumber, k kale, kohlr peas, pe peanuts, pe radishes, ra turnips |
| | | | 0.1 | Fruit (other than |
| | | | 0.05 | Citrus fruit, sugar |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|---------------------------------|---------------------------------------------------------------|--------------------------------------|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dimethoate | Dimethyl S-(N-methylcarbamoylmethyl) phosphorothiothionate | | 0.02 0.2 0.2 0.15 0.02 0.1 0.1 2.0 | Rice (rough) Potatoes Carrots, lettuce, t Milk and milk pro Raw cereals (oth Eggs (shell-free) Eggs (shell-free) Tree fruit (includi citrus) |
| Dioxathion | 1,4-dioxan-2,3-ylidene bis(OO-diethyl) phosphorothiothionate | Delnav | 1.0 2.0 5.0 2.0 3.0 1.0 | Maize, millets an and peppers Other vegetables Pome fruit Grapes Citrus fruit Meat, excluding p |
| Diphenyl | Biphenyl, or phenyl benzene | | 110 | Citrus fruit |
| Diphenamid | NN-dimethyl-2,2-diphenylacetamide | | 1.0 0.1 | Potatoes, strawb Eggplants, pepp tomatoes |
| Diphenylamine Diquat(cation) | Diphenylamine 9,10-dihydro-8a,10a-diazoniaphenanthrene ion | | 10.0 5 2.0 0.1 0.1 0.1 | Apples Rice (in husk) Rape seed, sorgl Peas, beans, sur Onions, potatoes Edible oils (sesa seed, rape s |
| Disul-sodium | Sodium 4,dichlorophenoxy ethyl sulphate | | 2.0 | Asparagus, strav |
| Disulfoton | Diethyl S-[2-(ethylthio)ethyl] phosphorothiothionate | | 6 0.75 | Potatoes, peanut Barley grain, bea broccoli, Bru cabbage, ca lettuce, oatg pecans, pine sorghum gra |
| Diuron | 3-(3,4-dichlorophenyl)-1,1-dimethylurea | | 0.5 0.3 0.1 7 1.0 | Hops, sugar beel Coffee, maize gr grain Peppers, soyabe Asparagus Apples, artichoke blackberries boysenberri in grain or e sweet corn, cottonseed, |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-------------|---------------|--------------------------------------|-------------------|-------------|
| Diuron- | | | 1.0 | gooseberrie |



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| | | | | |
|------------------|-----------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>continued</i> | | | | huckleberrie oatgrain, oli pineapple, p rye grain, sc cane, vetch |
| Dodine | Dodecylguanidine acetate | Melprex | 5 10 2.0 0.3 0.2 | Apples, cherries, Strawberries Peanuts, peas, p Black walnuts an Maize, millets, sc |
| Endosulfan | 6,7,8,9,10,10-hexachloro- 1,5,5a,6,9,9a-hexahydro- 6,9-methano-2,4,3-benzo(e) dioxathiopin-3-oxide | Thiodan Thionex | 30 2.0 0.5 0.2 0.1 | Tea (dry manufa Fruit, vegetables Cottonseed Cottonseed oil (c Rice, unpolished Cottonseed, cotti oil (crude) |
| Endrin | 1,2,3,4,10,10-hexachloro-6,7- epoxy-1,4,4a,5,6,7,8,8a- octahydro-exo-1,4-exo-5,8- dimethanonaphthalene | | 0.2 0.02 0.02 1.0 0.2 3.0 | Edible cottonsee maize oil Apples, wheat, b (husked and/or p Milk and milk pro Fat of poultry Eggs (shell-free) Apples, apricots, beets, blac boysenberri fruits, maize lettuce, loga olives, peac pineapples, quinces, ras spinach, str (not tops), tr youngberrie |
| EPN | Ethyl 4-nitrophenyl phenylphosphonothionate | | 0.5 0.05 2.0 1.0 0.5 7 2.5 3.0 | Almonds, cottons Soyabeans Grapes Other fruit Vegetables Tea Meat (fat basis) Apples, pears |
| Ethion | Tetraethyl SS'methylene bis (phosphorothiolothionate) | | 75 50 40 30 25 10 5 7.5 | Broccoli, carrots, parsnips, p Eggplant, okra, s corn, sweet barley, maiz Pineapple Cucumbers, lettu Cottonseed, pear Asparagus, cauli Lima beans, stra Meat (fat basis) |
| Etoxyquin | 1,2 dihydro-6-ethoxy-2,2,4- trimethylquinoline | | 0.05 0.04 | Egg yolk Whole milk |
| Ethylene | 1,2-dibromoethane dibromide EDB | | | |
| Fenchlorphos | Dimethyl 2,4,5-trichlorophenyl phosphorothionate | | | |

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|------------------------------------|------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Fenitrothion | Dimethyl 3-methyl-4-nitrophenyl phosphorothionate | Sumithion Folithion Danathion | 2.0 0.5 0.3 0.2 0.1 0.05 0.03 0.02 | Maize and sorgho Apples, cherries, lettuce Red cabbage, tea at harvest) Tomatoes Cocoa, coffee beans Milk products (fat) Meat or fat of mammals Milk (whole) |
| Fentin acetate Fentin hydroxide | Triphenyl tin acetate Triphenyl tin hydroxide | Brestan Du-ter | 1.0 0.2 0.1 | Celery Sugarbeet, carrots Potatoes, celeriac |
| Fensulfothion | Diethyl 4-(methylsulphinyl) phenyl phosphorothionate | | 0.05 0.1 0.05 0.02 0.02 | Peanuts (shelled) Maize grain, onions potatoes, tomatoes Peanuts, pineapples sugarbeets Bananas, sugar corn Meat, fat and milk of cattle, goats and sheep |
| Fenthion | Dimethyl 3-methyl-4-methylthiophenyl phosphorothionate | Lebayeid | 2.0 1.0 0.5 | Apples, peaches cherries, fat of mammals Cabbage, cauliflower olives, olive oil Grapes, oranges meat |
| Fenzaflor | Phenyl 5,6-dichloro-2-trifluoromethylbenzimidazole-1-carboxylate | Lovozaal | 0.2 2.0 | Squash Apples |
| Ferbam | Ferric dimethyldithiocarbamate | | 7 | Apples, apricots, asparagus, blackberries, blackberries, blueberries, peas, blueberries broccoli, Brussels sprouts, cabbage carrots, cauliflower celery, cherries collards, maize cranberries, currants, dates eggplants, eggplants, gooseberries, guavas, huckleberries kohlrabi, lettuce loganberries, melons, mustards, nectarines, onions |

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|-------------|-------------------------------------|--------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Folpet | N-(trichloromethylthio) phthalimide | Phaltan | 0.1 30 25 15 10 5 2.0 | papayas, pea peanuts, pea peppers, plum prunes), plum quinces, radish raspberries, r spinach, squa strawberries, squash, toma turnips Almonds Currants (fresh) Grapes, blueberr Cherries, raspbe Apples, citrus fru Tomatoes, straw Cucumbers, cantaloupes (whole), wate (whole), onion |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-------------|-----------------------------------------------------------------------|--------------------------------------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Fonofos | O-ethylphenyl ethylphosphonothiolathionate | | 0.1 | Asparagus, maiz peanuts, beel chicory, garlic onions, horse Jerusalem ar leeks, onions potatoes, rad rutabagas, se shallots, sprir sugar beets, : potatoes, turr |
| Formothion | S-(N-formyl-N-methylcarbamoylmethyl) dimethyl phosphorothiolothionate | | 0.3 2.0 | Strawberries Blackcurrants |
| Glyodin | 2-heptadecyl-2-imidazoline acetate | Crab Fungicide 341 | 5 | Apples, cherries, peaches, pears |
| Heptachlor | 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-4,7-methanoindene | | 0.15 0.2 0.02 | Milk and milk pro (fat basis) Fat of meat and j Raw cereals, torr cottonseed, s edible soyabe |
| | | | 0.05 | Vegetables (exce where otherw specified), eg |
| | | | 0.2 0.5 | Carrots Crude soyabean |
| HHC (BHC) | Mixed isomers of 1,2,3,4,5,6-hexachlorocyclohexane | | 0.01 1.0 | Citrus fruit Apples, apricots, asparagus, a broccoli, Brus sprouts, cabt cauliflower, c cherries, collk cucumbers, e |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|------------------|----------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Hydrogen cyanide | Hydrogen cyanide | | 75 | grapes, kale, lettuce, melon, nectarines, okra, (dry bulb only) peaches, pea plums (fresh), pumpkins, strawberries, summer squash, swiss chard, etc. |
| Lindane | Gamma isomer of benzene hexachloride | | 6 0.5 3.0 3.0 | Raw cereals Flour Raw cereals Vegetables Cranberries, cherries, grapes, plum, strawberries |
| Linuron | 3-(3,4-dichlorophenyl)-1- | | 2.0 1.0 0.2 0.1 | Fat of meat (cattle, pigs, sheep) Maize and sorghum beans (dried) Eggs (yolk) Milk and milk products (fat basis) |
| Malathion | S-[1,2-di(ethoxycarbonyl)ethyl] dimethyl phosphorothiothionate | Maladrex | 0.7 1.0 0.25 8 2.0 4.0 8 | Poultry (fat basis) Carrots, potatoes, soybeans, and meat by-products of cattle, goat, horses and swine Maize in grain or form, sweet corn, popcorn, cottonseed, barley, oats, sorghum and Raw cereals, nut dried fruits Whole meal and from rye and Citrus fruit Blackberries, raspberries, lettuce, endive, cabbage. |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|---------------------|---------------|--------------------------------------|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Malathion-continued | | | 8 6 5 3.0 2.0 1.0 | chinese cabbage, marrow, soybean, spinach, maize, sorghum Avocado, cherry, guava, mango, mulberry, peach, plums, pomegranate Broccoli Tomatoes, kale, Beans (green), and Strawberries, cel |

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| Active Ingredient | Chemical Name | Trade Name | Concentration | Application |
|-----------------------|--------------------------------------------------------------------|--------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Maleic hydrazide | 6-hydroxy-3-(2H)-pyridazinone | | 0.5 | Pears, blueberries (in pod), cauliflower peppers, eggplant, kohlrabi, roots (turnips), swiss chard collards |
| Mancozeb | A complex of zinc and maneb containing 20% manganese and 2.5% zinc | Dithane M-45 | 50 30 15 2.0 | Potatoes Beets, carrots, rutabagas Onions Marrows and pumpkins |
| Maneb | Manganese ethylene-1,2-bisdithiocarbamate | Dithane M-22 | 1.0 2.0 10 | Potatoes Bananas (edible) Apricots, beans (succulent), broccolis, Brussels sprout, cabbage, cauliflower, celery, chinese collards, endive (escarole), kale, kohlrabi, lettuce, mustard greens, nectarines, papayas, peaches, rhubarb, spinach, turnips |
| Mercaptobenzothiazole | Mercaptobenzothiazole | | 7 0.1 0.1 | Apples, beans (dried), carrots, cranberries, cucumbers, eggplants, figs, grapes, melons, onions, peppers, pumpkins, summer squash, sweet corn (kernels plus cobs husks removed), tomatoes, turnips, winter squash |
| Methomyl | 1-(methylthio)ethylideneamino N-methylcarbamate | Lannate | 5 0.2 | Almonds, potatoes, Apples |
| Methoxychlor | 1,1,1-trichloro-2,2-dimethyl-4-(4-methoxyphenyl)ethane | | 0.1 14 | Cabbage Fruiting vegetables, leafy vegetables (except cabbage) Maize grain (including popcorn), fresh including sweet corn (kernels plus cobs husks removed) Apples, apricots, asparagus, beans, blackberries, blueberries, boysenberries, Brussels sprout, cabbage, cauliflower, cherries, collard, maize (in husk), cranberries, currants, dewberries |



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eggplants, goose
 grape, kale, koh
 lettuce, loganbe
 melons, mushro
 nectarines, pea
 peanuts, pears,

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|---------------------------------------------------------------------------|------------------------------------------------------------------------|--------------------------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Methoxychlor- <i>continued</i> | | | 14 | peppers, pineap plums (fresh pr pumpkins, quini radishes, raspb rutabagas, spin squash, strawb summer squash tomatoes, turni youngberries |
| | | | 7 | Sweet potatoes, |
| | | | 3.0 | Fat of meat from goats, hogs, ho |
| | | | 2.0 | Barley, maize, gr of oats, rice, rye sorghum, whea |
| Methyl bromide | Bromomethane | Dowfume | 1.0 | Potatoes |
| | | | 100 | Nuts, peanuts |
| | | | 50 | Raw cereals, coc |
| | | | 20 | Dried fruits |
| | | | 10 | Milled cereal pro |
| | | | 0.5 | Bread, other coo cereal products fruits and nuts, Potatoes |
| Methyl ester of α -naphthalene acetic acid Methyl formate | Methyl ester of α -naphthalene acetic acid Methyl formate | | 9 | |
| | | | 250 | Currants, dates |
| Mevinphos | 2-methoxy-carbonyl-1- methylvinyl dimethyl phosphate | Phosdrin | 0.25 | Apples, asparagu broccoli, Brusse sprouts, cabbag cauliflower, cele collards, kale, le mustard greens (green), pears, l plums, raspberr spinach, strawb tomatoes, turni tops |
| | | | 0.25 | |
| Monuron | 3-(4-chlorophenyl)-1,1- dimethylurea | | 7 | Asparagus |
| | | | 1.0 | Avacados, citrus fruits, grapes, grapefri cottonseed, kur lemons, limes, oranges, pineapple, spin sugar cane, tan tangerines |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-------------|--------------------------------------------------|--------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Nabam | Disodium ethylene-1,2-bisdithiocarbamate | | 7 | Apples, apricots, beets, blackberry, black-eyed pea, broccoli, Brussels sprouts, cabbage, carrots, cauliflower, cherries, citrus, maize, cranberry, cucumbers, eggplants, endive, gooseberries, guavas, kohlrabi, loganberries, mushrooms, onions, parsley, peaches, peanuts, peas, peppers, pumpkins, quince, radishes, raspberries, rutabagas, squash, strawberries, summer squash, chard, tomatoes |
| Naled | 1,2-dibromo-2,2-dichloroethyl dimethyl phosphate | Dibrom | 0.5 | Beans (dry and succulent forms), cucumbers, egg melons (cantaloupe, honeydew melon, watermelon and others), peppers, and succulent fruit |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|---------------------------|-------------------------------------|--------------------------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Naled <i>continued</i> | | | 0.5 | peppers, pumpkin, rice, soya bean, and succulent fruit, summer squash, tomatoes, winter |
| | | | 1.0 | Broccoli, Brussels sprouts, cabbage, cauliflower, lettuce, strawberries |
| | | | 3.0 | Chard, grapefruit, lemons, orange, spinach, tangerine, turnip tops |
| Nicotine | -3-(1-methyl-2-pyrrolidyl) pyridine | | 2.0 | Apples, apricots, artichokes, asparagus, beans, beets, blackberries, blackberries, blackberries, boysenberries, broccoli, Brussels sprouts, cabbage, cantaloupes, celery, cherries, collards, maize, cucumbers, egg |



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| Common name | Chemical name | Trade name, if any, in | Tolerance* | |
|-------------|--------------------------------------------------------|------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Omethoate | Dimethyl S-(N-methylcarbamoyl-methyl) phosphorothioate | | 2.0 | grapefruits, green onions, kohlrabi, lemon-lettuce, lima beans, limes, mushroom melons, mustard nectarines, okra oranges, parsley parsnips, peach peas, peppers, plums, prunes, pumpkins, quinn radishes, rutabaga snapbeans, spinach strawberries, squash, swiss chard, tangerines, tomatoes, turnips, watermelon winter squash, youngberries |
| | | | 1.0 | Apples, beans, cabbage, cauliflower collards, endive (escarole), kale lettuce, oranges, peas, peppers, swiss chard, tomatoes |
| | | | 0.2 | melons |
| | | | 0.1 | Potatoes |
| | | | 0.1 | Pecans |
| | | | 0.04 | Wheat grain |
| | | | 0.02 | Meat, fat and meat products of cattle, hogs, horses and |
| Omite | 2-(P-T-butylphenoxy) cyclohexyl propargyl sulphite | | 3.0 | Apples, citrus, plums, prunes |
| | | | 3.0 | Nectarines |
| | | | 4.0 | Apricots, peaches |
| | | | 7 | grapes, strawberries |
| Paraquat | 1,1'-dimethyl-4,4'-bipyridylium ion | Gramoxone | 30 | Hops (dried) |
| | | | 0.2 | Cottonseed |
| | | | 0.1 | Potatoes |
| | | | 0.05 | Cottonseed meal, cottonseed oil (not sugar cane juice) |
| | | | 0.7 | Vegetables (except carrots) |
| | | | 1.0 | Peaches, apricot, citrus fruit |
| Parathion | Diethyl 4-nitrophenyl phosphorothionate | Folidol | 0.5 | Other fresh fruit |
| | | | 0.7 | Vegetables (except carrots) |
| | | | 1.0 | Peaches, apricot, citrus fruit |
| | | | 0.5 | Other fresh fruit |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

Common name

Chemical name

Trade name, if any, in

Tolerance*



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| | | use in Zambia | p.p.m. | |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parathion-methyl | Dimethyl 4-nitrophenyl phosphorothionate | | 0.2 | Fruit, cole crops, cucurbits |
| - | 1,1-dichloro-2,2-bis (4-ethylphenyl)ethane | Perthane | 1.0 0.05 15 | Other vegetables Cottonseed oil Apples, broccoli, Brussels sprouts, cauliflower, cherries, chine cabbage, endiv kohlrabi, lettuce mustard greens pears, spinach |
| 2-phenyl phenol (and sodium salts) | 2-hydroxydiphenyl | | 120 25 20 15 | Cantaloupes (wh Pears Carrots, peaches Sweet potatoes, plums (including prunes) |
| Phorate | Diethyl S-(ethylthiomethyl) phosphorothiolothioate | 0.3 | 10 3.0 0.5 0.1 | Citrus fruit, cucur peppers, cantal (edible portions pineapples, torr Cherries, nectarin Hops, potatoes Sugar beet roots |
| Phosalone | S-(6-chloro-2-oxobenzoxazolin-3-yl)methyl diethyl phosphorothiolothionate | | 4.0 6 10 | Barley grain, bea maize grain, sw (kernels plus cc husk removed), peanuts, rice, s grain, sugar car tomatoes |
| Phosmet | OO-dimethyl phtalimidomethyl phosphorothionate | Imidan | 7 10 | Peaches Cherries Apples, pears Plums Cherries |
| Phosphamidon | 2-chloro-2-diethylcarbamoyl-1-1-methylvinyl dimethyl phosphate | | 10 0.1 0.5 0.4 0.2 0.1 0.2 | Apples, grapes, p pears Raw cereals Apples, pears Citrus fruit Other fruit, cole c Tomatoes, lettuc cucumbers, wal Other vegetables root vegetables which a toleranc not required) |
| Piperonyl butoxide | 5-[2-(2-butoxyethoxy)ethoxy-methyl]-6-propyl-1,3-benzodioxole | | 20 8 | Raw cereals Fresh fruit and vegetables, drie and vegetables, seeds, treenuts |
| Pyrethrins | 4 hydroxy-3-methyl 2-(2,4-pentadienyl)-2-cyclopenten-1-one-2,2-dimethyl-3(2-& methyl-propenyl)cy clopropane-carboxylate and 4-hydroxy-3-methyl-2-(2,4- | | 1.0 3.0 1.0 0.1 | Dried cod fish Raw cereals Fresh fruit and vegetables, drie and vegetables, treenuts Dried cod fish |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Quinomethionate | pentadienyl)-2-cyclopenten-1-one 1-methyl 3-carboxy-a,2,2-trimethylcyclopropane-acrylate ester 6-methyl-2-oxo-1,3-dithiolo (4,5-b)-quinoxaline | Morestan | 6 4.0 3.0 1.5 | Strawberries Apricots, peaches Cherries Apples, honeydew melons, muskmelons, cantaloupes, peaches, summer squash |
| Quintozene | Pentachloronitrobenzene | | 1.0 0.75 10 5 1.0 0.3 | Plums (fresh produce) Cucumbers, watermelons, winter squash Mushrooms Peanuts (whole) Bananas (whole) Lettuce, peanuts (kernels) |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|---------------------------------|----------------------------------------------------|--------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Quintozene- <i>continued</i> | | | 0.2 0.1 0.03 0.02 | Beans (navy), potatoes Tomatoes Cottonseed Bananas (pulp), leafy vegetables, sprouts, broccoli, cabbage, chine, cauliflower, kale, kohlrabi, tomatoes |
| Schradan | bis-NNN'N'-tetramethyl-phosphorodiamidic anhydride | | 0.01 0.75 | Beans (other than navy), peppers (bell) English walnuts |
| Simazine | 2-chloro-4,6-bis(ethylamino)-1,3,5-triazine | | 10 0.5 0.25 | Asparagus Artichokes Almonds, apples, cherries, fresh citrus fruits (including sweet oranges), hazelnuts (kernels plus husks removed), cranberries, currants, dewberries, filberts, grapefruit, grapes, lemons, loganberries, macadamia nut, oranges, peaches, plums, raspberries, strawberries, watermelons |
| Sodium orthophenylphenate | O-phenyl phenol, sodium salt | | 0.02 125 25 20 15 10 | Eggs, milk, meat and meat by-products of cattle, goats, horses, poultry Cantaloupes Apples, pears Carrots, peaches Sweet potatoes Citrus fruits, cucumbers |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-------------------|-----------------------------------------------------------------------|--------------------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sutan | S-ethyl-NN-di-iso butylthiocarbamate | | 5 0.1 | peppers (bell), pineapples, tomatoes, Cherries, nectarines, Maize |
| Tecnazene | 1,2,4,5-tetrachloro-3-nitrobenzene | Fusarex | 25 | Potatoes |
| Tetrachlorvinphos | Cisomer of 2-chloro-1-(2,4,5-trichlorophenyl)vinyl dimethyl phosphate | Gardona | 10 | Apples, sweet corn (kernels plus cobs with husks removed), grain |
| | | | 8 | Sorghum |
| | | | 0.75 | Fat of meat of poultry |
| | | | 0.1 | Eggs, meat and products of poultry |
| Tetradifon | 2,4,4',5-tetrachlorodiphenyl Sulphone | | 100 | Peppermint, spearmint |
| | | | 30 | Fresh hops |
| | | | 10 | Figs |
| | | | 5 | Apples, apricots, crabapples, cherries, grapes, nectarines, peaches, pears, prunes, quinces, strawberries |
| | | | 2.0 | Citrus fruits |
| | | | 1.0 | Cucumbers, melons, pumpkins, tomatoes, winter squash |
| TDE | 1,1-dichloro-2,2-dimethyl-4-(4-chlorophenyl)ethane | | 7 | Apples, apricots, blueberries, cucumbers, eggplants, grape melons, nectarines, peaches, pears, pumpkins, quinces, squash, summer squash, tomatoes |
| | | | 3.5 | Blackberries, boysenberries, cherries, citrus fruits, dewberries, loganberries, plums (fresh pruned), raspberries, strawberries, sweet corn (kernels plus husks removed) |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|--------------------------|-----------------------------------------------|--------------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------|
| TDE- <i>continued</i> | | | 1.0 | Broccoli, Brussels sprouts, cabbage, carrots, cauliflower, kohlrabi, lettuce, rutabagas, spinach, turnips |
| Tetrasul | 4-chlorophenyl 2,4,5-trichlorophenyl sulphide | | 0.1 | Apples |
| Thiabendazole | 2-(4-(4'-thiazolyl)benzimidazole | Tector | 6 3.0 0.4 | Citrus fruit Bananas Bananas (pulp) |

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| | | | | |
|----------------------------|-------------------------------------------------------------|--------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Thiram | Bis(dimethylthiocarbamoyl) disulphide | | 7 | Apples, celery, p strawberries, to |
| | | | 1.0 | Bananas (edible |
| | | | 0.5 | Onions (dry bulb) |
| Toxaphene | Chlorinated camphene having a chlorine content of 67-69% | | 7 | Apples, apricots, blackberries, boysenberries, l Brussels sprout cabbage, carrot cauliflower, cele citrus fruit, colla maize, cranberr cucumbers, dev eggplants, fat o from cattle, goa horses and she hazelnuts, hick horseradish, ka kohlrabi, lettuce loganberries, ne okra, onions, pe peaches, peanu peas, pecans, p pimentos, quinc radishes, raspb rutabagas, spin strawberries, to walnuts, youngt |
| | | | 7 | |
| | | | 5 | Barley, oats, rice sorghum grain, |
| | | | 2.0 | Soyabeans (dry) |
| Tricyclohexyltin hydroxide | Tricyclohexyltin hydroxide | | 2.0 | Apples, pears |
| Trifluralin | 2,6-dinitro-NN-dipropyl-4-trifluoromethylamine | Treflan | 1.0 | Carrots |
| | | | 0.5 | Citrus fruits, cott cucurbits, fruitin vegetables, gra hops, leafy vegi nuts, peanuts, r vegetables (exc safflower seed, vegetables, sto cane, sunflower grain |
| | | | 25 | Broccoli, cauliflo peppers, pinea strawberries |
| Trizone | Methylbromide with added chloropierin and propargyl bromide | | 40 | Muskmelons, ton |
| | | | 60 | Eggplants |
| | | | 60 | Hops |
| Zineb | Zinc ethylene-1,2-bisdithiocarbamate | Dithane Z-78 | 25 | Chinese cabbage endive, kale, let mustard greens spinach, swiss |
| | | | 7 | Apples, apricots, beets, blackber boysenberries, l Brussels sprout carrots, cauliflo cherries, citrus cranberries, cuc currants, dewbe |



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gooseberries, g
 guavas, kohlrab
 loganberries, m
 mushrooms, ne
 onions, parsley,
 peanuts, pears,
 peppers, plums

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-----------------|----------------------------------|--------------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Zineb-continuea | | | | prunes), pumpk radishes, raspb rutabagas, sals strawberries, summer squash tomatoes, turni youngberries |
| Ziram | Zinc dimethyldithiocarbamate | | 1.0 7 | Wheat Apples, apricots, beets, blackber blueberries, boysenberries, l Brussels sprout cabbage, carrot cauliflower, cele cherries, collarc cranberries, cucumbers, dewberries, egg gooseberries, g kale, kohlrabi, k loganberries, m nectarines, onic peaches, peanu peas, peppers, pumpkins, quini radishes, raspb rutabagas, spin squash, strawbr summer squash tomatoes, turni youngberries |
| 2,4-D | (2,4-dichlorophenoxy)acetic acid | | 0.1 0.2 | Almonds Barley, oats, rye, wheat |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

NINETEENTH SCHEDULE
 (Regulation 334)

SUBSTANCES THAT MAY BE USED AS FOOD ADDITIVES

PART I

Food Additives that may be Used as Anticaking Agents

| Column 1 | Column 2 | Column 3 |
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| <i>Item No.</i> | <i>Additive</i> | <i>Permitted in or upon</i> | |
|------------------------------|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| 1 C.1 | Calcium aluminium silicate | (1) Salt (free-running) (2) Flour salt; garlic salt; onion salt (3) Unstandardised dry mixes | (1) 1 (2) 2 (3) C |
| 2 C.2 | Calcium phosphate, tribasic | (1) Salt (free-running) (2) Flour salt; garlic salt; onion salt (3) Dry cure (4) Unstandardised dry mixes (5) Oil soluble annatto (6) Icing sugar | (1) 1 (2) 2 (3) C (4) C (5) C (6) II |
| 3 C.3 | Calcium silicate | (1) Salt (free-running) (2) Flour salt; garlic salt; onion salt (3) Baking powder (4) Dry cure (5) Unstandardised dry mixes (6) Icing sugar | (1) 1 (2) 2 (3) 5 (4) C (5) C (6) II |
| 4 C.4 | Calcium stearate | (1) Salt (free-running) (2) Flour salt; garlic salt; onion salt (3) Unstandardised dry mixes | (1) 1 (2) 2 (3) C |
| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | |
| 5 M.1 | Magnesium carbonate | (1) Salt (free-running) except when used in preparations of meat and meat by-products (regulations 300 to 323) (2) Flour salt; garlic salt; onion salt, except when used in preparations of meat and meat by-products (regulations 300 to 323) (3) Unstandardised dry mixes (except when used in preparations of meat and meat by-products (regulations 300 to 323) (4) Icing sugar | (1) 1 (2) 2 (3) C (4) II |
| 6 M.2 | Magnesium oxide | Unstandardised dry mixes, except when used in- preparations of meat and meat by-products (regulations 300 to 323) | Go |
| 7 M.3 | Magnesium silicate | (1) Salt (free-running) (2) Flour salt; garlic salt; onion salt (3) Unstandardised dry mixes (4) Icing sugar | (1) 1 (2) 2 (3) C (4) II |
| 8 M.4 | Magnesium stearate | (1) Salt (free-running) (2) Flour salt; garlic salt; onion salt (3) Unstandardised dry mixes (4) Icing sugar | (1) 1 (2) 2 (3) C (4) II |
| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | |
| 9 P.1 | Propylene glycol | Salt (free-running) | 0.03 |
| 10 S.1 | Silicon dioxide | (1) Garlic salt; onion salt (2) Celery salt: celery pepper (3) Unstandardised dry mixes | (1) 1 (2) 0 (3) C |



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| | | | |
|--------|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| | | (4) Icing sugar | (4) II |
| 11 S.2 | Sodium aluminium silicate | (1) Salt (free-running) (2) Icing sugar (3) Dried egg products; flour; salt; garlic salt; onion salt (4) Unstandardised dry mixes | (1) I (2) II (3) 2 (4) C |
| 12 S.3 | Sodium ferrocyanide, decahydrate | Salt (free-running) | 5 pa |

PART II

Food Additives that may be Used as Bleaching, Maturing and Dough Conditioning Agents

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|----------------------------------------|----------------------------------------------------------------------------------------------------|-----------------------------|
| 1 A.1 | Acetone peroxide | (1) Bread; flour; whole wheat flour (2) Unstandardised bakery foods | (1) C (2) C |
| 2 A.1A | Alpha amylase bacillus subtilis enzyme | (1) Bread (2) Unstandardised bakery foods | (1) C (2) C |
| 3 A.2 | Ammonium persulphate | (1) Flour; whole wheat flour (2) Bread (3) Unstandardised bakery foods | (1) 2 (2) 1 (3) C |
| 4 A.2A | Ascorbic acid | (1) Bread; flour; whole wheat flour (2) Unstandardised bakery foods | (1) 2 (2) 2 |
| 5 A.3 | Aspergillus flavus oryzae enzyme | (1) Bread; flour; whole wheat flour (2) Unstandardised bakery foods | (1) C (2) C |
| 6 A.3A | Aspergillus niger enzyme | (1) Bread (2) Unstandardised bakery foods | (1) C (2) C |
| 7 A.4 | Azodicarbonamide | Bread; flour; whole wheat flour | 45 p |
| 8 B.1 | Benzoyl peroxide | Flour; whole wheat flour | 150 |
| 9 C.1 | Calcium peroxide | (1) Bread (2) Unstandardised bakery foods | (1) 1 (2) C |
| 10 C.2 | Calcium stearoyl-2-lactylate | (1) Bread (2) Unstandardised bakery foods | (1) 5 (2) 5 |
| 11 C.3 | Chlorine | Flour; whole wheat flour | Go |
| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
| 12 C.4 | Chlorine dioxide | Flour; whole wheat flour | Go |
| 13 C.5 | 1-Cysteine (hydrochloride) | (1) Bread; flour; whole wheat flour (2) Unstandardised bakery foods | (1) 9 (2) C |
| 14 P.1 | Potassium bromate | (1) Flour; whole wheat flour (2) Bread (3) Unstandardised bakery foods | (1) 5 (2) 1 (3) C |
| 15 P.2 | Potassium persulphate | (1) Bread (2) Unstandardised bakery foods | (1) 1 (2) C |
| 16 S.1 | Sodium stearoyl-2-lactylate | (1) Bread (2) Unstandardised bakery foods; pancakes and pancake mixes; waffles and waffle mixes | (1) 5 (2) C |
| 17 S.2 | Sodium stearyl fumarate | (1) Bread (2) Unstandardised bakery foods | (1) 5 (2) 5 |
| 18 S.3 | Sodium sulphite | Biscuit dough | 5,00 |



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| | Indanthrene blue RS Patent blue V Quinoline yellow Woolgreen BS and Aluminium or calcium lakes of these colours | the fruit) jam with pectin; (naming the fruit) jelly with pectin; liqueurs and alcoholic cordials; (naming the flavour) milk; pickles and relishes; pineapple marmalade with pectin; sherbet; smoked fish; lobster paste and fish roe (caviar); tomato catsup; soft drinks | (2) 1 |
| 5 | Ponceau 4R and aluminum or calcium lakes of this colour | Fruit peel; glace fruits; maraschino cherries; soft drinks | 100 |

PART IV

Food Additives that may be Used as Emulsifying, Gelling, Stabilising and Thickening Agents

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| 1 A.1 | Acacia gum | (1) Ale; beer; chocolate drink; cream; (naming the flavour) dairy drink; French dressing; light beer; alt liquor; (naming the flavour) milk; mustard pickles; porter; process cheese; process cream cheese; relishes; salad dressing; (naming the flavour) skim milk; skim milk process cheese; soft drinks; stout (2) Cream cheese; cream cheese with (naming the other cheese, fruit, vegetable or relish); ice cream; ice cream mix; ice milk; ice milk mix (3) Sherbet (4) Unstandardised foods | (1) G (2) 0 (3) 0 (4) C |
| 2 A.2 | Acetylated mono-glycerides | Unstandardised foods | Goo |
| 3 A.3 | Acetylated tartaric acid esters of mono- and diglycerides | Unstandardised foods | Goo |
| 4 A.4 | Agar | (1) Brawn; canned (naming the poultry); chocolate drink; cream; (naming the flavour) dairy drink; headcheese; (naming the fruit) jelly with pectin; meat binder (when sold for use in prepared meat or meat by-products in which a gelling agent is a permitted ingredient); meat by-product loaf; meat loaf; (naming the flavour) milk; mustard pickles; potted meat by-product; prepared fish or prepared meat; cheese; process cream cheese; relishes; (naming the flavour) skim milk; skim milk process cheese (2) Cream cheese; cream cheese with (naming the other cheese, fruit, vegetable or relish); ice cream; ice cream mix; ice milk; ice milk mix (3) Sherbet (4) Unstandardised foods | (1) C (2) C (3) 0 (4) C |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| 5 A.5 | Algin | (1) Ale; beer; chocolate drink; cream; (naming the flavour) dairy drink; French dressing; light beer; malt liquor; (naming the flavour) milk; mustard pickles; porter; process cheese; process cream cheese; relishes; salad dressing; (naming the flavour) skim milk; skim milk process cheese; soft drinks; stout (2) Cottage cheese; cream cheese; cream cheese with (naming the other cheese, fruit, vegetable or relish); creamed cottage cheese; ice cream; ice cream mix; ice milk; ice milk mix (3) Sherbet (4) Unstandardised foods | (1) C (2) 0 (3) 0 (4) C |
| 6 A.6 | Alginic acid | Same foods as listed for algin | Sam |
| 7 A.7 | Ammonium alginate | Same foods as listed for algin | Sam |
| 8 A.8 | Ammonium earrageenan | Same foods as listed for earrageenan | Sam |
| 9 A.9 | Ammonium furcelleran | Same foods as listed for furcelleran | Sam |
| 10 A.9A | Ammonium salt of phosphory- | (1) Bread; chocolate drink; cream; (naming the | (1) C |

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| | lated glyceride | flavour) dairy drink; (naming the flavour) milk; mustard pickles; process cheese; process cream cheese; relishes; (naming the flavour) skim milk; skim milk process cheese (2) Cocoa; milk chocolate; sweet chocolate (3) Ice cream; ice cream mix; ice milk; ice milk mix (4) Sherbet (5) Unstandardised foods | (2) A (3) A (4) C (5) C |
| 11 A.10 | Arabinogalactan | Essential oils, non-nutritive sweeteners, unstandardised dressings, pudding mies, soft drinks and pie filling mix | Goo |
| 12 C.1 | Calcium alginate | Same foods as listed for algin | Sam |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
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| 13 C.2 | Calcium carbonate | Unstandardised foods | Goo |
| 14 C.3 | Calcium carrageenan | Same foods as listed for carrageenan | Sam |
| 15 C.4 | Calcium citrate | (1) Process cheese; process cream cheese; skim milk process cheese (2) Unstandardised foods | (1) C (2) C |
| 16 C.5 | Calcium furcelleran | Same foods as listed for furcelleran | Sam |
| 17 C.6 | Calcium gluconate | Unstandardised foods | Goo |
| 18 C.7 | Calcium glycerophosphate | Unstandardised dessert mies | Goo |
| 19 C.8 | Calcium hypophosphate | Unstandardised dessert mies | Goo |
| 20 C.9 | Calcium phosphate dibasic | (1) Process cheese, process cream cheese; skim milk process cheese (2) Unstandardised foods | (1) C (2) C |
| 21 C.10 | Calcium phosphate, tribasic | Unstandardised foods | Goo |
| 22 C.11 | Calcium sulphate | (1) Ice cream; ice cream mix; ice milk; ice milk mix (2) Sherbet (3) Unstandardised food | (1) C (2) C (3) C |
| 23 C.12 | Calcium tartrate | Unstandardised foods | Goo |
| 24 C.13 | Carboxymethyl cellulose | Same foods as listed for sodium carboxymethyl cellulose | Sam |
| 25 C.14 | Carob bean gum | (1) Chocolate drink; cream; (naming the flavour) dairy drink; French dressing; (naming the flavour) milk; mustard pickles; process cheese; process cream cheese; relishes; salad dressing; (naming the flavour) skim milk; skim milk process cheese; soft drinks | (1) C |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
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| 25 C.14 <i>continua</i> | Carob bean gum <i>continued</i> | (2) Cottage cheese; cream cheese; cream cheese with (naming the other cheese, fruit, vegetable or relish); creamed cottage cheese; ice cream mix; ice milk; ice milk mix (3) Sherbet (4) Unstandardised foods | (2) C (3) C (4) C |
| 26 C.15 | Carrageenan | (1) Ale; beer; brawn; canned (naming the poultry; chocolate drink; cream; (naming the flavour) dairy drink; French dressing; head-cheese; (naming the fruit) jelly with pectin; light beer; malt liquors; meat binder (when sold for use in prepared meat or prepared meat by-products in which a gelling agent is a permitted ingredient); meat by-product loaf; meat loaf; (naming the flavour) milk; mustard pickles; potted meat by-product; porter; prepared fish or prepared meat; process cheese; process cream cheese; relishes; salad dressing; (naming the flavour) skim milk; skim milk process cheese; stout; soft drinks | (1) C |
| 26 C.15 | Carrageenan | (2) Cottage cheese; cream cheese; cream cheese | (2) C |



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| <i>(continued)</i> | <i>(continued)</i> | with (naming the other cheese, fruit, vegetable or relish); creamed cottage cheese; ice cream; ice cream mix; ice milk; ice milk mix | |
| | | (3) Evaporated milk | (3) 0 |
| | | (4) Sherbet | (4) 0 |
| | | (5) Unstandardised foods | (5) C |
| 27 C.16 | Cellulose gum | Same foods as listed for sodium carboxymethyl cellulose | Sam |
| 28 C.17 | Cholic acid | Dried egg whites | 0.1% |
| 29 D.1 | Desoycholic acid | Dried egg whites | 0.1% |
| 30 F.1 | Furcelleran | (1) Ale; beer; light beer; malt liquor; porter; stout | (1) C |
| | | (2) Unstandardised foods | (2) C |

| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | |
|------------------------------|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 31 G.1 | Gelatin | (1) Brawn; canned (naming the poultry); chocolate drink; cream; (naming the flavour) dairy drink; headcheese; (naming the fruit) jelly with pectin; meat binder (when sold for use in prepared meat; by-products in which a gelling agent is a permitted ingredient); meat by-product loaf; meat loaf; (naming the flavour) milk; mustard pickles; potted meat; potted meat by-product; prepared fish or prepared meat; prepared hams; shoulders, butts and picnics; process cheese; process cream cheese; relishes; (naming the flavour) skim milk; skim milk process cheese (2) Cottage cheese; cream cheese; cream cheese with (naming the other cheese, fruit, vegetable or relish); creamed cottage cheese; ice cream; ice cream mix; ice milk; ice milk mix (3) Sherbet (4) Unstandardised foods | (3) 0 (4) C |
| 32 G.2 | Glycocholic acid | Dried egg whites | 0.1% |
| 33 G.3 | Guar gum | (1) Chocolate drink; cream; (naming the flavour) dairy drink; French dressing; (naming the flavour) milk; mince meat; mustard pickles; process cheese; process cream cheese; relishes; salad dressing; (naming the flavour) skim milk; skim milk process cheese; soft drinks (2) Cottage cheese; cream cheese; cream cheese with (naming the other cheese, fruit, vegetable or relish); creamed cottage cheese; ice cream; ice cream mix; ice milk; ice milk mix (3) Sherbet (4) Unstandardised foods | (1) C (2) 0 (3) 0 (4) C |
| 34 G.4 | Gum arabic | Same foods as listed for acacia gum | Sam |
| 35 H.1 | Hydroxylated lecithin | (1) Cocoa; milk chocolate; sweet chocolate | (1) A |

| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | |
|------------------------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 35 H.1 | Hydroxylated lecithin | (2) Soft drinks (3) Unstandardised foods | (2) C (3) C |
| <i>continued</i> | <i>continued</i> | | |
| 36 H.1A | Hydroxypropyl cellulose | Unstandardised foods | Goo |
| 37 H.2 | Hydroxypropyl methyl- cellulose | (1) Chocolate drink; (naming the flavour) dairy drink; French dressing; (naming the flavour) milk; mustard pickles; relishes; (naming the flavour) skim milk; salad dressing (2) Unstandardised foods | (1) C (2) C |
| 38 I.1 | Irish moss gelose | Same foods as listed for carrageenan | Sam |
| 39 K.1 | Karaya gum | (1) Chocolate drink; (naming the flavour) dairy drink; French dressing; (naming the flavour) milk; mustard pickles; process cheese; process cream cheese; relishes; (naming the flavour) skim milk; salad dressing; skim milk process cheese | (1) G |



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| | | (2) Cottage cheese; cream cheese; cream cheese with (naming the other cheese, fruit, vegetable or relish); creamed cottage cheese; ice cream; ice cream mix; ice milk; ice milk mix | (2) 0 |
| | | (3) Sherbet | (3) 0 |
| | | (4) Unstandardised foods | (4) 0 |
| 40 L.1 | Lactylated mono- and di- | (1) Shortening | (1) 8 |
| | | (2) Unstandardised foods | (2) 8 |
| 41 L.1A | Lactylic esters of fatty acids | Unstandardised foods | 0 |
| 42 L.2 | Lecithin | (1) Bread; chocolate milk; cream; (naming the flavour) milk; mustard pickles; process cheese; process cream cheese; relishes; (naming the flavour) skim milk; skim milk process cheese; soft drinks; margarine | (1) 0 |
| | | (2) Cocoa; milk chocolate; sweet chocolate | (2) 0 |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------------|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| 42 L.2 <i>continued</i> | Lecithin <i>continuea</i> | (3) Ice cream; ice cream mix; ice milk; ice milk mix (4) Sherbet (5) Unstandardised foods | (3) 0 (4) 0 (5) 0 |
| 43 L.3 | Locust bean gum | Same foods as listed for carob bean gum | 0 |
| 44 M.1 | Methylcellulose | (1) Ale; beer; French dressing; light beer; porter; malt liquor; process cheese; process cream cheese; salad dressing; skim milk process cheese; soft drinks; stout (2) Unstandardised foods | (1) 0 (2) 0 |
| 45 M.2 | Methyl ethyl cellulose | Unstandardised foods | 0 |
| 46 M.3 | Mono-glycerides | (1) Bread; cream; process cheese; process cream cheese; skim milk process cheese; fish paste (2) Cocoa; milk chocolate; sweet chocolate (3) Ice cream; ice cream mix; ice milk; ice milk mix; reconstituted milk; yogurt (4) Sherbet (5) Shortening (6) Margarine (7) Unstandardised foods | (1) 0 (2) 0 (3) 0 (4) 0 (5) 1 (6) 1 (7) 0 |
| 47 M.4 | Mono- and di-glycerides | (1) Bread; cream; process cheese; process cream cheese; skim milk process cheese; soft drinks (2) Cocoa; milk chocolate; sweet chocolate (3) Ice cream; ice cream mix; ice milk; ice milk mix; reconstituted milk; yogurt (4) Sherbet | (1) 0 (2) 0 (3) 0 (4) 0 |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------------|---------------------------------------------|-----------------------------------------------------------------|-----------------------------|
| 47 M.4 <i>continuea</i> | Mono- and di-glycerides <i>continuea</i> | (5) Shortening (6) Margarine (7) Unstandardised foods | (5) 1 (6) 1 (7) 0 |



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| 48 O.1 | Oat gum | (1) Process cheese; process cream cheese; skim milk process cheese (2) Cream cheese; cream cheese with (naming the other cheese, fruit, vegetable or relish) (3) Unstandardised foods | (1) C (2) O (3) C |
| 49 O.2 | O bile extract | Dried egg whites | 0.1% |
| 50 P.1 | Pectin | (1) Apple (or rhubarb) (and naming the fruit) jam; chocolate drink; cream; (naming the flavour) dairy drink; fig marmalade; fig marmalade with pectin; French dressing; (naming the fruit) jam; (naming the fruit) jam with pectin; (naming the fruit) jelly; (naming the fruit) jelly with pectin; (naming the citrus fruit) marmalade with pectin; (naming the flavour) milk; mincemeat; mustard pickles; pineapple marmalade with pectin; relishes; salad dressing; (naming the flavour) skim milk; soft drinks; sour cream (2) Ice cream; ice cream mix; ice milk; ice milk mix; cream cheese; cream cheese with (naming the other cheese, fruit, vegetable or relish) (3) Sherbet (4) Unstandardised foods | (1) C (2) O (3) O (4) C |
| 51 P.1A | Polyglycerol esters of fatty acids | (1) Soft drinks (2) Unstandardised foods | (1) C (2) C |
| 52 P.1B | Polyglycerol esters of interesterified castor oil fatty acids | Milk chocolate; sweet chocolate | A tot |

| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | |
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| 53 P.2 | Polyoxyethylene (2) sorbitan monooleate; polysorbate 80 | (1) Ice cream; ice cream mix; ice milk; ice milk mix; sherbet (2) Unstandardised frozen desserts (3) Pickles and relishes (4) Soft drinks (5) Imitation dry cream (6) Whipped vegetable oil topping (7) Cake icing; cake icing mix (8) Salt (9) Whipped cream | (1) O (2) O (3) O (4) C (5) O (6) O (7) O (8) 1 (9) O |
| 54 P.3 | Polyoxyethylene (20) sorbitan monostearate; polysorbate 60 | (1) Imitation dry cream mix; vegetable oil creaming agent; whipped vegetable oil topping; vegetable oil topping mix | (1) O |

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| 54 P.3 <i>continued</i> | Polyoxyethylene (20) sorbitan monostearate; polysorbate 60 <i>continued</i> | (2) Cakes (3) Cakes; cake mixes (4) Unstandardised confectionery coatings (5) Cake icing; cake icing mix (6) Pudding; pie filling (7) Soft drinks (8) Sour cream substitute (9) Unstandardised dressings; unstandardised prepared canned cooking sauces (10) Fat base formulation for self-basting of poultry by injection | (2) 0 (3) 0 (4) 0 (5) 0 (6) 0 (7) 0 (8) 0 (9) 0 (10) |
| 55 P.4 | Polyoxyethylene (20) sorbitan tristearate | (1) Chocolate drink; (naming the flavour) dairy drink; (naming the flavour) milk; (naming the flavour) skim milk (2) Ice cream; ice cream mix; ice milk; ice milk mix; sherbet (3) Unstandardised frozen desserts (4) Cakes (5) Soft drinks | (1) 0 (2) 0 (3) 0 (4) 0 (5) 0 |
| 55 P.4 <i>continued</i> | Polyoxyethylene (20) sorbitan tristearate <i>continued</i> | (6) Unstandardised confectionery coatings used, the total shall not exceed 0.7% (7) Imitation dry cream mix; vegetable oil creaming agent; whipped vegetable oil topping; vegetable oil topping mix | (6) 0 (7) 0 |
| 56 P.5 | Polyoxyethylene (8) stearate | Unstandardised bakery foods | 0.4% |
| 57 P.6 | Potassium alginate | Same foods as listed for algin | Sam |
| 58 P.7 | Potassium carrageenan | Same foods as listed for carrageenan | Sam |
| 59 P.8 | Potassium chloride | Unstandardised foods | Good |
| 60 P.9 | Potassium citrate | Process cheese; process cream cheese; skim milk process cheese | Good |
| 61 P.10 | Potassium furcelleran | Same foods as listed for furcelleran | Sam |
| 62 P.11 | Potassium phosphate dibasic | Process cheese; process cream cheese; skim milk process cheese | Good |
| 63 P.12 | Propylene glycol alginate | (1) Ale; beer; French dressing; light beer; malt liquor; mustard pickles; porter; process cheese; process cream cheese; relishes; salad dressing; skim milk process cheese; soft drinks; stout (2) Cottage cheese; creamed cottage cheese; ice cream; ice cream mix; ice milk; ice milk mix; cream cheese; cream cheese with (naming the other cheese, fruit, vegetable or relish) (3) Sherbet | (1) 0 (2) 0 (3) 0 |

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| | | (4) Unstandardised foods | (4) C |
| 64 P.13 | Propylene glycol other of methyl-cellulose | Same foods as listed for hydroxypropyl methyl-cellulose | Sam |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| 65 P.14 | Propylene glycol mono fatty acid esters | Unstandardised foods | Good |
| 66 S.1 | Sodium acid pyrophosphate | Process cheese; process cream cheese; skim milk process cheese | Good |
| 67 S.2 | Sodium alginate | (1) Same foods as listed for algin (2) Coarse crystal salt | (1) S (2) 1 |
| 68 S.2A | Sodium aluminum phosphate | Process cheese; process cream cheese; skim milk process cheese | Good |
| 69 S.3 | Sodium carboxymethyl cellulose | (1) Chocolate drink; cream (naming the flavour) dairy drink; French dressing; (naming the flavour) milk; mustard pickles; process cheese; process cream cheese; relishes; salad dressing; (naming the flavour) skim milk; skim milk process cheese; soft drinks (2) Cottage cheese; creamed cottage cheese; ice cream; ice cream milk; ice milk; ice milk mix (3) Sherbet (4) Unstandardised foods | Good (2) 0 (3) 0 (4) C |
| 70 S.4 | Sodium carrageenan | Same foods as listed for carrageenan | Sam |
| 71 S.5 | Sodium cellulose glycolate | Same foods as listed for sodium carboxymethyl cellulose | Sam |
| 72 S.6 | Sodium citrate | (1) Process cheese; process cream cheese; skim milk process cheese (2) Evaporated milk (3) Ice cream; ice cream mix; ice milk; ice milk mix (4) Sherbet (5) Soft drinks | (1) C (2) 0 (3) 0 (4) 0 (5) 3 |
| 73 S.7 | Sodium furcelleran | Same foods as listed for furcelleran | Sam |
| 74 S.8 | Sodium gluconate | Process cheese; process cream cheese; skim milk process cheese | Good |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
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| 75 S.9 | Sodium hexametaphosphate | (1) Mustard pickles; process cheese; process cream cheese; relishes; skim milk process cheese; soft drinks (2) Ice cream; ice cream mix; ice milk; ice milk mix (3) Sherbet (4) Unstandardised foods | (1) C (2) 0 (3) 0 (4) C |
| 76 S.10 | Sodium lauryl sulphate | (1) Egg white solids (2) Frozen egg whites | (1) 0 (2) 0 |
| 77 S.11 | Sodium phosphate, dibasic | (1) Chocolate drink; (naming the flavour) dairy drink; (naming the flavour) milk; mustard pickles; process cheese; process cream cheese; relishes; (naming the flavour) skim milk; skim milk process cheese (2) Cottage cheese; creamed cottage cheese (3) Evaporated milk (4) Unstandardised foods | (1) C (2) 0 (3) 0 (4) C |
| 78 S.12 | Sodium phosphate, monobasic | (1) Process cheese; process cream cheese; skim milk process cheese (2) Unstandardised foods | (1) C (2) C |
| 79 S.13 | Sodium phosphate, tribasic | (1) Process cheese; process cream cheese; skim milk process cheese (2) Unstandardised foods | (1) C (2) C |
| 80 S.14 | Sodium potassium tartrate | (1) Process cheese; process cream cheese; skim milk process cheese | (1) C |

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| | | (2) Unstandardised foods | (2) C |
| 81 S.15 | Sodium pyrophosphate, tetrabasic | (1) Process cheese; process cream cheese; skim milk process cheese (2) Unstandardised foods | (1) C (2) C |
| 82 S.15A | Sodium stearoyl-2-lactylate | Icing and icing mixes; fillings and filling mixes; puddings and pudding mixes | Good |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
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| 83 S.16 | Sodium tartrate | Process cheese; process cream cheese; skim milk process cheese | Good |
| 84 S.17 | Sodium taurocholate | Dried egg whites | 0.1% |
| 85 S.18 | Sorbitan monoesterate | (1) Imitation dry cream mix; vegetable oil creaming agent; whipped vegetable oil topping; vegetable oil topping mix (2) Cake; cake mix (3) Unstandardised confectionery coatings (4) Cake icing; cake icing mix (5) Beverage base or mix | (1) 0 (2) 0 (3) 1 (4) 0 (5) 0 |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
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| 86 S.19 | Stearyl monoglyceridyl citrate | Shortening | Good |
| 87 T.1 | Taurocholic acid | Dried egg white | 0.1% |
| 88 T.2 | Tannic acid | Honey wine; wine | 200 |
| 89 T.3 | Tragacanth gum | (1) French dressing; mustard pickles; process cheese; process cream cheese; salad dressing; relishes; skim milk process cheese; soft drinks (2) Cottage cheese; cream cheese; cream cheese with (naming the other cheese, fruit, vegetable or relish); creamed cottage cheese; ice cream; ice ice cream mix; ice milk; ice milk mix (3) Sherbet (4) Unstandardised foods | (1) C (2) 0 (3) 0 (4) C |
| 90 T.4 | Triethyl citrate | Egg white | 0.25 |
| 91 .1 | anthan gum | Unstandardised foods | Good |

PART V
 Food Additives that may be Used as Food Enzymes

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
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| 1 B.1 | Bromelain | (1) Ale; beer; light beer; malt liquor; porter; stout (2) Frozen meat cuts; meat tenderisers; pumping pickle employed in the curing of beef cuts; sugar wafers; waffles; pancakes |
| 2 C.1 | Carbohydrate (1) from <i>Aspergillus niger</i> group (2) from <i>Aspergillus flavus oryzae</i> group (3) from <i>Bacillus subtilis</i> group | (1) (a) Ale; beer; light beer; bread; malt liquor; porter; stout (b) Production of detrose; high conversion syrups from starch (c) Unstandardised bakery foods (2) (a) Ale; beer; bread; flour; light beer; malt liquors; porter; stout; whole wheat flour (b) High conversion syrups from starch; chocolate syrups (c) Unstandardised bakery foods (3) (a) Ale; beer; light beer; malt liquors; porter; stout (b) Cooked cereals; chocolate syrups; high conversion syrups from starch |
| 3 C.2 | Catalase: from <i>Aspergillus</i> | Cheddar, colby, granular, Swiss, and washed curd cheese |
| 4 C.3 | Cellulase: from <i>Aspergillus niger</i> group | Liquid coffee concentrate |
| 5 F.1 | Fein | (1) Ale; beer; light beer; porter; stout (2) Frozen meat cuts; meat tenderisers |
| 6 G.1 | Glucose oidasecatalase | Egg whites; soft drinks |
| 7 I.1 | Invertase | (1) Confectionery (2) Unstandardised bakery foods |
| 8 P.1 | Pancreatin | Cooked cereals; dried egg whites; sugar syrups |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9 P.2 | Papain | (1) Ale; beer; light beer; malt liquor; porter; stout (2) Beef before slaughter; malt beverages; meat cuts; meat tenderisers; pumping pickle employed in the curing of beef cuts |
| 10 P.3 | Pectinase | Wine |
| 11 P.4 | Pepsin | (1) Cheese; cottage cheese (2) Instant cereals (3) Ale; beer; light beer; malt liquor; porter; stout (4) Defatted soya flour |
| 12 P.5 | Protease: (1) from <i>Aspergillus niger</i> group; (2) from <i>Aspergillus flavus oryzae</i> group; (3) from <i>Bacillus subtilis</i> group | (1) (a) Bread (b) Unstandardised bakery foods (2) (a) Ale; beer; frozen meat cuts; light beer; malt liquor; meat tenderisers; porter; stout (b) Unstandardised bakery foods (3) (a) Ale; beer; light beer; malt liquor; porter; stout (b) Unstandardised bakery foods |
| 13 R.1 | Rennet | (1) Cheese; cottage cheese (2) Unstandardised foods |

PART VI
Food Additives that may be Used as Firming Agents

| Column 1 | Column 2 | Column 3 |
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| Item No. | Additive | Permitted in or upon |
|----------|------------------------------|-----------------------------------------------------------------------------------------------------------------|
| 1 A.1 | Aluminum sulphate | (1) Canned crabmeat, lobster, salmon, shrimp and tuna; pickles and relishes (2) Unstandardised foods |
| 2 A.2 | Ammonium aluminum sulphate | (1) Pickles and relishes (2) Unstandardised foods |
| 3 C.1 | Calcium chloride | (1) Tomatoes; canned apples; canned vegetables; frozen apples (2) Cheese; cottage cheese |
| 4 C.2 | Calcium citrate | (1) Tomatoes; canned apples; canned vegetables; frozen apples; frozen sliced apples (2) Unstandardised foods |
| 5 C.3 | Calcium gluconate | Unstandardised foods |
| 6 C.4 | Calcium phosphate, dibasic | Unstandardised foods |
| 7 C.5 | Calcium phosphate, monobasic | (1) Tomatoes, canned apples, canned vegetables; frozen apples (2) Unstandardised foods |
| 8 C.6 | Calcium sulphate | Tomatoes; canned apples; canned vegetables; frozen apples |
| 9 D.1 | Potassium aluminium sulphate | (1) Pickles and relishes (2) Unstandardised foods |
| 10 S.1 | Sodium aluminium sulphate | (1) Pickles and relishes (2) Unstandardised foods |

PART VII
Food Additives that may be Used as Glazing and Polishing Agents

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon |
|----------------------|---------------------------|--------------------------------------|
| 1 A.1 | Acetylated monoglycerides | (1) Confectionery (2) Frozen fish |
| 2 B.1 | Beeswax | Confectionery |
| 3 C.1 | Carnauba wax | Confectionery |
| 4 C.2 | Candelilla wax | Confectionery |
| 5 C.1 | Gum arabic | Confectionery |
| 6 G.2 | Gum benzoin | Confectionery |
| 7 M.1 | Magnesium silicate | Confectionery |
| 8 M.2 | Mineral oil | Confectionery |
| 9 P.1 | Petrolatum | Confectionery |
| 10 S.1 | Shellac | Cake decorations; confectionery |
| 11 S.2 | Spermaceti wax | Confectionery |
| 12 Z.1 | Zein | Confectionery |

PART VIII
Miscellaneous Food Additives

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | Column 4 Purpose of use |
|----------------------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 A.1 | Acetylated mono-glycerides | Unstandardised foods | Coating; release agent |
| 2 B.1 | Bead oil | Wine | Antifoaming agent |
| 3 B.2 | Beeswax | Unstandardised foods | Antisticking agent |
| 4 C.1 | Caffeine | Cola type soft drinks | To characterise the product |
| 5 C.2 | Caffeine citrate | Cola type soft drinks | To characterise the product |
| 6 C.3 | Calcium carbonate | (1) Flour; whole wheat flour (2) Flour; whole wheat flour (3) Confectionery (4) Chewing gum (5) Unstandardised foods | (1) Carrier of benzoyl peroxide (2) Carrier of potassium bromate (3) Creaming and fiing agent (4) Filler (5) Carrier and dusting agent |
| 7 C.4 | Calcium phosphate, dibasic | (1) Flour; whole wheat flour | (1) Carrier of benzoyl peroxide |



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| 26 G.2A | Glucono delta lactone | porter; stout (1) Cooked sausage, meat loaf (2) Dry sausage | (1) To accelerate colour fiing (2) To assist in curing |
| 27 G.3 | Glycerol | (1) Meat curing compounds; sausage ceasings (2) Preserved meats (regulations 300-323 (3) Unstandardised foods (4) Soft drinks | (1) Humectant (2) Glaze for preserved meats (3) Humectant; plactiser (4) Humectant |
| 28 H.1 | Heane | Hop extract for use in malt liquors | Solvent |
| 29 I.1 | Isopropyl alcohol | Fish protein | To etract moisture, fat and other soluble components from fish |
| 30 L.1 | Lactylic esters of fatty acids | Unstandardised foods | Plasticising agent |
| 31 L.2 | Lanolin | Chewing gum | Plasticing agent |
| 32 M.1 | Magnesium aluminium silicate | Chewing gum | Dusting agent |
| 33 M.2 | Magnesium carbonate | (1) Flour; whole wheat flour (2) Flour; whole wheat flour (3) Confectionery | (1) Carrier of benzoyl peroxide (2) Carrier of potassium bromate (3) Release agent |

| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | <i>Column 4 Purpose of use</i> |
|------------------------------|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| 34 M.3 | Magnesium silicate | (1) Confectionery (2) Chewing gum (3) Rice | (1) Release agent (2) Dusting agent (3) Coating |
| 35 M.4 | Magnesium stearate | Confectionery | Release agent |
| 36 M.5 | Maleic hydrazide (MH) (1, 2-dihydropyridizine-3, 6-dione) | (1) Onions (2) Beets; carrots; rutabags (3) Potatoes | (1) Anti-sprouting agent (2) Anti-sprouting agent (3) Anti-sprouting agent |
| 37 M.5A | Mannitol | (1) Dietetic foods (2) Confectionery | (1) To modify teture (2) Release agent |
| 38 M.5B | Methyl ester of a naphtha- lene acetic acid | Potatoes | Anti-sprouting agent |
| 39 M.5C | Methyl ethyl cellulose | Unstandardised foods | Aerating agent |
| 40 M.5D | Methylene chloride | Hop etract for use in malt liquors | Solvent |
| 41 M.5E | Methanol | Hop etract | Solvent |
| 42 M.6 | Microcrystalline cellulose | Same foods as listed for cellulose microcrystalline | Filler |
| 43 M.7 | Mineral oil | (1) Bakery products; confectionery; seeded raisins (2) Fresh fruits and vegetables | (1) Release agent (2) Coating |
| 44 M.8 | Monoacetin | Unstandarised bakery foods | Plastiser |
| 45 M.9 | Mono- and diglycerides | (1) Apple (or rhubarb) and (naming the fruit) jam; fats and oils; fig marmalade; fig marmalade with pectin; (naming the fruit) jam with (naming the fruit) jelly with pectin; (naming the citrus fruit) marmalade with pectin; pineapple marmalade; pineapple marmalade with pectin; soft drinks | (1) Anti-foaming agent |

| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | <i>Column 4 Purpose of use</i> |
|------------------------------|------------------------------|----------------------------------------------------|--------------------------------------------------------------------|
| 45 M.9 | Mono- and diglycerides | (2) Unstandardised foods | (2) Anti-foaming agent; a humectant; release agent |
| 46 M.10 | Monoglycerides | (1) Oil-soluble annatto (2)Unstandardised foods | (1) Solvent (2) Anti-foaming agent; humectant; release agent |

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| 47 M.11 | Monosodium L-glutamate | Unstandardised foods except foods for infants under one year of age | Flavour enhancer |
| 48 N.1 | Nitrogen | Unstandardised foods | Pressure dispensing agent |
| 49 N.2 | Nitrous oxide | Unstandardised foods | Pressure dispensing agent |
| 50 N.3 | Nonyl alcohol | Potatoes | Anti-sprouting agent |
| 51 O.1 | Octafluorocyclobutane | Unstandardised foods | Pressure dispensing and aerating agent |
| 52 O.2 | Oystearin | Cotton seed oil; peanut oil; soya bean oil | To inhibit crystal formation |
| 53 P.1 | Pancreas extract | Acid producing bacterial cultures | To control bacteriophages |
| 54 P.1A | Paraffin wax | (1) Fresh fruits and vegetables (2) Cheese and turnips | (1) Coating (2) Coating |
| 55 P.2 | Petrolatum | Fresh fruits and vegetables | Coating |
| 56 P.2A | Polyglycerol ester of wood rosin (ester gum) | Soft drinks | Density adjusting agent |
| 57 P.3 | Polyvinylpyrrolidone | Ale; beer; light beer; malt liquor; porter; stout; wine | Clarifying agent |
| 58 P.4 | Potassium aluminium sulphate | Flour; whole wheat flour | Carrier of benzoyl peroxide |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | Column 4 Purpose of use |
|----------------------|---------------------------------|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| 59 P.5 | Potassium stearate | Chewing gum | Plasticising agent |
| 60 P.6 | Propane | Unstandardised foods | Pressure dispensing and aerating agent |
| 61 P.7 | Propylene glycol | (1) Oil-soluble annatto (2) Soft drinks (3) Unstandardised foods | (1) Solvent (2) Solvent (3) Humectant |
| 62 Q.1 | Quillaia | Beverage bases; beverage mixes; soft drinks | Foaming agent |
| 63 S.1 | Saponin | Soft drinks | Foaming agent |
| 64 S.2 | Sodium aluminium sulphate | Flour; whole wheat flour | Carrier of benzoyl peroxide |
| 65 S.3 | Sodium bicarbonate | (1) Confectionery (2) Salt | (1) Aerating agent (2) To stabilise potassium iodate in salt |
| 66 S.3A | Sodium carbonate | Fish fillets, frozen lobster; frozen crab frozen clam and frozen shrimp, in combination with sodium heameta-phosphate | To reduce thaw drip |
| 67 S.4 | Sodium citrate | Beef blood | Anticoagulant |
| 68 S.5 | Sodium ferrocyanide decahydrate | Dentritic salt | Adjuvant in the production of dentritic salt crystals |
| 69 S.6 | Sodium heameta-phosphate | (1) Beef blood (2) Frozen fish fillets; frozen lobster; frozen crab; frozen clam and frozen shrimp | (1) Anticoagulant (2) To reduce thaw drip |
| 70 S.7 | Sodium phosphate, dibasic | (1) Frozen fish (2) Frozen mushrooms | (1) To prevent cracking of glaze (2) To prevent discoloration |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | Column 4 Purpose of use |
|----------------------|----------------------|----------------------------------|----------------------------|
| 71 S.8 | Sodium silicate | Canned drinking water | Corrosion inhibitor |
| 72 S.9 | Sodium stearate | Chewing gum | Plasticising agent |
| 73 S.9A | Sodium stearyl-2 | (1) Liquid and frozen egg whites | (1) Whipping agent |

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| | lactylate | (2) Dried egg whites (3) Oil toppings or topping mixes | (2) Whipping agent (3) Whipping agent |
| 74 S.9B | Sodium sulphate | Frozen mushrooms | To prevent discoloration |
| 75 S.9C | Sodium sulphite | Canned flaked tuna | To prevent discoloration |
| 76 S.10 | Sodium thiosulphate | Salt | To stabilise potassium iodate in salt |
| 77 S.11 | Sodium tripolyphosphate | Frozen fish fillets; frozen lobster; frozen crab; frozen clam and frozen shrimp | To reduce thaw drip |
| 78 S.12 | Sorbitol | (1) Confectionery (2) Marshmallows; shredded coconut (3) Unstandardised foods | (1) Release agent (2) Humectant (3) To modify texture |
| 79 S.13 | Stannous chloride | (1) Asparagus packed in glass containers; concentrated fruit juices; lemon juice; lime juice (2) Soft drinks | (1) Flavour and colour stabiliser (2) Flavour and colour stabiliser |
| 80 S.14 | Stearic acid | (1) Confectionery (2) Chewing gum | (1) Release agent (2) Plasticising agent |
| 81 S.15 | Sodium methyl sulphate | Pectin | As processing aid, the result of methylation of pectin by sulphuric acid and methyl alcohol and neutralised by sodium bicarbonate |
| 82 S.16 | Sucrose acetate isobutyrate | Soft drinks | Density adjusting agent |
| 83 T.1 | Tannic acid | Chewing gum | To reduce adhesion |
| 84 T.2 | Triacetin | Cake mixes | Wetting agent |

PART IX
Food Additives that may be used as Non-nutritive Sweetening Agents

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|----------------------|--------------------------------------------------------------------------------------------------|-----------------------------|
| 1 A.1 | Ammonium saccharin | Carbohydrate or calorie reduced dietetic foods meeting the requirements of regulations 52 and 55 | Good manufacturing practice |
| 2 C.1 | Calcium saccharin | Carbohydrate or calorie reduced dietetic foods meeting the requirements of regulations 52 and 55 | Good manufacturing practice |
| 3 S.1 | Saccharin | Carbohydrate or calorie reduced dietetic foods meeting the requirements of regulations 52 and 55 | Good manufacturing practice |
| 4 S.2 | Sodium saccharin | Carbohydrate or calorie reduced dietetic foods meeting the requirements of regulations 52 and 55 | Good manufacturing practice |

PART
Food Additives that may be Used as pH Adjusting Agents, Acid-reacting Materials and Water Correcting Agents

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| 1 A.1 | Acetic acid | (1) soft drinks (2) Unstandardised foods | (1) Good manufacturing practice (2) Good manufacturing practice |
| 2 A.2 | Adipic acid | (1) Soft drinks (2) Unstandardised foods | (1) Good manufacturing practice (2) Good manufacturing practice |
| 3 A.3 | Ammonium aluminium sulphate | (1) Baking powder (2) Unstandardised foods | (1) Good manufacturing practice (2) Good manufacturing practice |
| 4 A.4 | Ammonium bicarbonate | (1) Chocolate; cocoa; milk chocolate; sweet chocolate (2) Unstandardised foods | (1) Good manufacturing practice (2) Good manufacturing practice |
| 5 A.5 | Ammonium carbonate | (1) Chocolate; cocoa; milk chocolate; sweet chocolate (2) Unstandardised foods | (1) Good manufacturing practice (2) Good manufacturing practice |
| 6 A.6 | Ammonium citrate, dibasic | Unstandardised foods | Good manufacturing practice |
| 7 A.7 | Ammonium citrate, monobasic | Unstandardised foods | Good manufacturing practice |
| 8 A.8 | Ammonium hydroxide | (1) Chocolate; cocoa; milk chocolate; sweet chocolate (2) Unstandardised foods | (1) Good manufacturing practice (2) Good manufacturing practice |
| 9 A.9 | Ammonium phosphate, dibasic | (1) Ale; bacterial cultures; baking powder; beer; light beer; malt liquor; porter; stout (2) Unstandardised bakery foods | (1) Good manufacturing practice (2) Good manufacturing practice |

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| 10 A.10 | Ammonium phosphate, monobasic | (1) Ale; bacterial cultures; baking powder; beer; light beer; malt liquor; porter; stout (2) Unstandardised bakery foods | (1) Good manufact (2) Good manufact |
| 11 C.1 | Calcium acetate | (1) Ale; beer; light beer; malt liquor; porter; soft drinks; stout (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 12 C.2 | Calcium bicarbonate | Soft drinks | Good manufacturin |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| 13 C.2A | Calcium carbonate | (1) Chocolate drinks; ice cream mix; ice milk mix; wine; soft drinks (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 14 C.3 | Calcium chloride | (1) Ale; beer; light beer; malt liquor; porter; soft drinks; stout (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 15 C.4 | Calcium citrate | (1) Soft drinks (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 16 C.5 | Calcium fumarate | Unstandardised foods | Good manufacturin |
| 17 C.6 | Calcium gluconate | (1) Soft drinks (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 18 C.7 | Calcium hydroxide | (1) Ale; beer; ice cream mix; ice milk mix; light beer; malt liquor; porter; stout (2) Canned peas (3) Unstandardised foods | (1) Good manufact (2) 0.01% (3) Good manufact |
| 19 C.8 | Calcium lactate | (1) Baking powder; soft drinks (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 20 C.9 | Calcium oxide | (1) Ale; beer; chocolate drink; ice cream mix; ice (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 21 C.10 | Calcium phosphate, dibasic | Unstandardised foods | Good manufacturin |
| 22 C.11 | Calcium phosphate, monobasic | (1) Baking powder; malt liquors (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 23 C.12 | Calcium phosphate, tribasic | Unstandardised foods | Good manufacturin |
| 24 C.13 | Calcium sulphate | Ale; beer; light beer; malt liquor; porter; soft drinks; stout; wine | Good manufacturin |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 25 C.14 | Citric acid | (1) Ale; apple (or rhubarb) and (naming the fruit) jam; beer; canned artichokes; canned asparagus; Canned bean sprouts; canned onions; canned pears; canned shellfish; canned spring mackerel; cottage cheese; creamed cottage cheese; fig marmalade; fig marmalade with pectin; French dressing; frozen cooked shrimp; grape juice; honey wine; ice cream mix; ice milk mix; (naming the fruit) jam; (naming the fruit) jam with pectin; (naming the fruit) jelly; (naming the fruit) jelly with pectin; light beer; malt liquor; (naming the citrus fruit) marmalade; (naming the citrus fruit) marmalade with pectin; mayonnaise; mincemeat; pineapple marmalade; pineapple marmalade with pectin; porter; process cheese; process cream cheese; salad dressing; sherbet; skim milk process cheese; stout; tomatoes; wine; soft drinks (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 26 C.15 | Cream of tartar | Same foods as listed for potassium acid tartrate | Same levels as pre acid tartrate |
| 27 F.1 | Fumaric acid | (1) Soft drinks (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 28 G.1 | Gluconic acid | (1) Soft drinks (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 29 G.2 | Gluconodeltalactone | Unstandardised foods | Good manufacturin |
| 30 H.1 | Hydrochloric acid | Ale; beer; light beer; malt liquor; porter; stout | Good manufacturin |
| 31 L.1 | Lactic acid | (1) Ale; baking powder; beer; bread; cottage cheese; | (1) Good manufact |



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| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| | | The Laws of Zambia creamed cottage cheese; French dressing; ice cream mix; ice milk; mix; light beer; malt liquor; mayonnaise; olives; pickles and relishe; porter; process cheese; process cream cheese; salad dressing; sherbet; skim milk process cheese; soft drinks; stout (2) Unstandardised foods | (2) Good manufact |
| 32 M.2 | Magnesium carbonate | (1) Chocolate; chocolate drink; cocoa; ice cream mix; ice milk mix; milk chocolate; soft drinks; sweet chocolate (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 33 M.3 | Magnesium citrate | Soft drinks | Good manufacturin |
| 34 M.4 | Magnesium fumarate | Unstandardised foods | Goods manufacturin |
| 35 M.5 | Magnesium hydroxide | (1) Chocolate; cocoa; ice cream mix; ice milk mix; milk chocolate; sweet chocolate (2) Canned peas | (1) Good manufact (2) 0.05% |
| 36 M.6 | Magnesium oxide | Chocolate drink; ice cream mix; ice milk mix | Good manufacturin |
| 37 M.7 | Magnesium sulphate | Ale; beer; light beer; malt liquor; porter; soft drinks; stout | Good manufacturin |
| 38 M.8 | Malic acid | (1) Apple (or rhubarb) and (naming the fruit) jam; fig marmalade; fig marmalade with pectin; (naming the fruit) jam with pectin; (naming the fruit) jelly with pectin; (naming the citrus fruit) marmalade with pectin; pineapple marmalade; pineapple marmalade with pectin; soft drinks (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 39 P.1 | Phosphoric acid | (1) Ale; beer; chocolate; cocoa; cottage cheese; creamed cottage cheese; malt liquor; light beer; milk chocolate; mono- and di-glycerides; soft drinks; porter; stout; sweet chocolate (2) Unstandardised foods (3) Fish protein | (1) Good manufact (2) Good manufact (3) Good manufact |
| 40 P.2 | Potassium acid tartrate | (1) Baking powder (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 41 P.3 | Potassium aluminum sulphate | (1) Ale; baking powder; beer; light beer; malt liquor; oil soluble annatto; porter; stout (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
| 42 P.4 | Potassium bicarbonate | (1) Baking powder; chocolate; cocoa; malted milk; malted milk powder; milk chocolate; soft drinks; sweet chocolate (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 43 P.5 | Potassium carbonate | (1) Chocolate; cocoa; milk chocolate; soft drinks; sweet chocolate (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 44 P.6 | Potassium chloride | Ale; beer; light beer; malt liquor; porter; soft drinks; stout | Good manufacturin |
| 45 P.7 | Potassium citrate | (1) Soft drinks (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 46 P.8 | Potassium fumarate | Unstandardised foods | Good manufacturin |
| 47 P.9 | Potassium hydroxide | (1) Oil soluble annatto (2) Chocolate; cocoa; milk chocolate; sweet chocolate | (1) 1.0% (2) Good manufact |
| 48 P.10 | Potassium phosphate, dibasic | Unstandardised foods | Good manufacturin |
| 49 P.11 | Potassium sulphate | (1) Ale; beer; light beer; malt liquor; porter; soft drinks; stout | Good manufacturin |
| 50 S.1 | Sodium acetate | (1) Soft drinks (2) Unstandardised foods | (1) Good manufact (2) Good manufact |

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| 66 S.17 | Sodium phosphate, dibasic | (1) Ale; bacterial culture; beer; cream; light beer; malt liquors; porter; stout (2) Soft drinks (3) Unstandardised foods | (1) Good manufact (2) Good manufact (3) Good manufact |
| 67 S.18 | Sodium phosphate, monobasic | (1) Ale; beer; light beer; malt liquor; porter; stout (2) Soft drinks (3) Unstandardised foods | (1) Good manufact (2) Good manufact (3) Good manufact |
| 68 S.19 | Sodium phosphate, tribasic | (1) Ale; beer; light beer; malt liquor; porter; stout (2) Soft drinks (3) Unstandardised foods | (1) Good manufact (2) Good manufact (3) Good manufact |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 69 S.20 | Sodium potassium tartrate | (1) Apple (or rhubarb) and (naming the fruit) jam; (naming the fruit) jam with pectin; (naming the fruit jelly; (naming the fruit) jelly with pectin; (naming the citrus fruit) marmalade; (naming the citrus fruit) marmalade with pectin; pineapple marmalade or fig marmalade; pineapple marmalade with pectin or fig marmalade with pectin (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 70 S.21 | Sodium pyrophosphate, tetrabasic | Unstandardised foods | Good manufacturin |
| 71 S.22 | Sodium tripolyphosphate | Unstandardised foods | Good manufacturin |
| 72 S.23 | Sulphuric acid | Ale; beer; light beer; malt liquor; porter; stout | Good manufacturin |
| 73 T.1 | Tartaric acid | (1) Ale; apple (or rhubarb) and (naming the fruit) jam; baking powder; beer; fig marmalade; fig marmalade with pectin; French dressing; honey wine; ice cream mix; ice milk mix; (naming the fruit) jam with pectin; (naming the fruit) jelly; (naming the fruit) jelly with pectin; light beer; malt liquors; (naming the citrus fruit) marmalade; (naming the citrus fruit) marmalade with pectin; mayonnaise; pineapple marmalade; pineapple marmalade with pectin; porter; salad dressing; sherbet; wine; soft drinks; stout (2) Unstandardised foods | (1) Good manufact (2) Good manufact |

PART XI A

Food Additives that may be Used as Class I Preservatives

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 1 A.1 | Acetic acid | (1) Preserved fish; preserved meat; preserved meat by-product product; preserved poultry meat; preserved poultry meat by-product; pumping pickle and dry cure employed in the curing of preserved meat or preserved meat by-product (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 2 A.2 | Ascorbic acid | (1) Ale; beer; canned mushrooms; canned tuna; frozen fruit; glaze of frozen fish; light beer; malt liquor; meat binder for preserved meat and preserved meat by-product (regulations 300 to 323); porter; preserved fish; preserved meat; preserved meat poultry meat by-product; pumping pickle; cover pickle and dry cure employed in the curing of preserved meat or preserved meat by-product; soft drinks; stout; wine (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 3 C.1 | Calcium ascorbate | Same foods as listed for ascorbic acid | Same levels as pre |
| 4 E.1 | Erythorbic acid | (1) Ale; beer; frozen fruit; light beer; malt liquor; meat binder for preserved meat and preserved meat by-product (regulations 300 to 323); porter; preserved fish; preserved meat; preserved meat by-product; pumping pickle; cover pickle and dry cure employed in the curing of preserved meat or prepared meat by-product; soft drinks; stout; wine | (1) Good manufact |

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| | | (2) Unstandardised foods | (2) Good manufact |
| 5 I.1 | Iso-ascorbic acid | Same foods as listed for erythorbic acid | Same levels as pre |
| 6 P.1 | Potassium nitrate | Meat binder for preserved meat and preserved meat by-product (regulations 300 to 323); preserved meat nitrite such that the final product shall by-product; preserved poultry meat; preserved poultry not contain more than 200 p.p.m of nitrite, meat by-product; pumping pickle; cover pickle and calculated as sodium nitrite dry cure employed in the curing of preserved meat or preserved meat by-product (regulations 300 to 323) | Alone or in any com |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| 7 P.2 | Potassium nitrite | Meat binder for preserved meat and preserved meat by-product (regulations 300 to 323); preserved meat; preserved meat by-product (regulations 300 to 323); preserved poultry meat; preserved poultry meat by-product; pumping pickle; cover pickle and dry cure employed in the curing of preserved meat or preserved meat by-product (regulations 300 to 323) | Alone or in any com nitrite such that th not contain more t calculated as sodi |
| 8 S.1 | Sodium ascorbate | Same foods as listed for ascorbic acid | Same levels as pre |
| 9 S.2 | Sodium erythorbate | Same levels as listed for erythorbic acid | Same levels as pre |
| 10 S.3 | Sodium iso-ascorbate | Same foods as listed for erythorbic acid | Same levels as pre |
| 11 S.4 | Sodium nitrate | Meat binder for preserved meat and preserved meat by-product (regulations 300 to 323); preserved meat (regulations 300 to 323); preserved meat by-product; preserved poultry meat; preserved poultry meat by-product product; pumping pickle; cover pickle and dry cure employed in the curing of preserved meat and preserved meat by-product (regulations 300 to 323) | Alone or in any com nitrite such that th not contain more t nitrite, calculated : |
| 12 S.5 | Sodium nitrite | Meat binder for preserved meat and preserved meat by-product (regulations 300 to 323); preserved meat (regulations 300 to 323); preserved meat by-product; preserved poultry meat; preserved poultry meat by-product product; pumping pickle; cover pickle and dry cure employed in the curing of preserved meat or preserved meat by-product (regulations 300 to 323) | Alone or in combin nitrite such that th not contain more t calculated as sodi |
| 13 W.1 | Wood smoke | (1) Preserved fish; preserved meat (regulations 300 to 323); preserved meat by-product (regulations 300 to 323); preserved poultry meat; preserved poultry meat by-product; sausage (2) Unstandardised foods | (1) Good manufact (2) Good manufact |

PART XI B

Food Additives that may be Used as Class II Preservatives

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| 1 B.1 | Benzoic acid | (1) Apple (or rhubarb) and (naming the fruit) jam; fig marmalade with pectin; fruit juices; (naming the fruit) jam with pectin; (naming the fruit) jelly with pectin; marinated or similar cold processed, packaged fish and meat; (naming the citrus fruit) marmalade with pectin; mincemeat; pickles and relishes; pineapple marmalade with pectin; soft drinks; tomato catsup; paste; tomato pulp; tomato puree (2) Unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (1) 1,000 p.p.m. in : 329 (2) 1,000 p.p.m. in : 329 |



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| 2 C.1 | Calcium sorbate | Same foods as listed for sorbic acid | 1,000 p.p.m. calcul |
| 3 M.1 | Methyl- <i>p</i> -hydroxy benzoate | (1) Apple (or rhubarb) and (naming the fruit) jam; fig marmalade with pectin; fruit juices; (naming the fruit) jam; (naming the fruit) jelly with pectin; marinated or similar cold processed, packaged fish and meat; (naming the citrus fruit) marmalade with pectin; mincemeat; pickles and relishes; pineapple marmalade with pectin; soft drinks; tomato catsup; tomato paste; tomato pulp; tomato puree (2) Unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (1) 1,000 p.p.m. in a 329 (2) 1,000 p.p.m. |
| 4 M.2 | Methyl paraben | Same foods as listed for methyl- <i>p</i> -hydroxy benzoate | Same levels as pre benzoate |
| 5 P.1 | Potassium bisulphite | Same foods as listed for sulphurous acid | Same levels as pre |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| 6 P.2 | Potassium metabisulphite | Same foods as listed for sulphurous acid | Same levels as pre |
| 7 P.3 | Potassium sorbate | Same foods as listed for sorbic acid | 1,000 p.p.m. calcul |
| 8 P.4 | Propyl- <i>p</i> -hydroxy benzoate | (1) Apple (or rhubarb) and (naming the fruit) jam; fig marmalade with pectin; fruit juices; (naming the fruit) jam with pectin; (naming the fruit) jelly with pectin; marinated or similar cold-processed, packaged fish and meat; (naming the citrus fruit) marmalade with pectin; mincemeat; pickles and relishes; pineapple marmalade with pectin; soft drinks; tomato catsup; tomato paste; tomato pulp; tomato puree (2) Unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (1) 1,000 p.p.m. in a 329 (2) 1,000 p.p.m. in a 329 |
| 9 P.5 | Propyl paraben | Same foods as listed for propyl- <i>p</i> -hydroxy benzoate | Same levels as pre benzoate |
| 10 S.1 | Sodium benzoate | Same foods as listed for benzoic acid | 1,000 p.p.m. calcul accordance with |
| 11 S.2 | Sodium bisulphite | Same foods as listed for sulphurous acid | Same levels as pre |
| 12 S.3 | Sodium metabisulphite | Same foods as listed for sulphurous acid | Same levels as pre |
| 13 S.4 | Sodium salt of methyl- <i>p</i> -hydroxy benzoic acid | Same foods as listed for methyl- <i>p</i> -hydroxy benzoate | 1,000 p.p.m. calcul benzoate in acco |
| 14 S.5 | Sodium salt of propyl- <i>p</i> -hydroxy benzoic acid | Same foods as listed for propyl- <i>p</i> -hydroxy benzoate | 1,000 p.p.m. calcul benzoate in acco |
| 15 S.6 | Sodium sorbate | Same foods as listed for sorbic acid | 1,000 p.p.m. calcul |
| 16 S.7 | Sodium sulphite | Same foods as listed for sulphurous acid | Same levels as pre |

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 17 S.8 | Sodium dithionite | Same foods as listed for sulphurous acid | Same levels as pre |
| 18 S.9 | Sorbic acid | (1) Apple (or rhubarb) and (naming the fruit) jam; fig marmalade with pectin; fruit juices; (naming the fruit) jam with pectin; (naming the fruit) jelly with pectin; (naming the citrus fruit) marmalade with pectin; mincemeat; pickles and relishes; pineapple marmalade with pectin; smoked or salted dried fish paste; soft drinks; (naming the source of the glucose) syrup; tomato catsup; | (1) 1,000 p.p.m. |

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| Item No. | Additive | Permitted in or upon | Limit |
|----------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| 6 S.2 | Sodium propionate | (c) poultry meat and poultry meat by-products Same foods as listed for propionic acid | 2,000 p.p.m. calcul |
| 7 S.3 | Sodium sorbate | Same foods as listed for sorbic acid | Same maximum lev |
| 8 S.4 | Sorbic acid | (1) Bread (2) Cheese (3) Unstandardised foods except unstandardised pre- parations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] (4) Wine | (1) 1,000 p.p.m. (2) 3,000 p.p.m. (3) 1,000 p.p.m. (4) 200 p.p.m. |

PART XI D

Food Additives that may be Used as Class IV Preservatives

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 A.1 | Ascorbic acid | (1) Fats and oils; lard; monoglycerides and diglycerides; shortening (2) Unstandardised foods | (1) Good manufact (2) Good manufact |
| 2 A.2 | Ascorbyl palmitate or stearate | (1) Fats and oils; lard; manoglycerides and diglycerides; shortening (2) Unstandardised foods [except unstandardised pre- parations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (1) 0.02% singly or (2) 0.02% singly or |
| 3 B.1 | Butylated hydroxyanisole (a mixture of 2-tertiary butyl- 4-hydroxyanisole and 3-tertiary butyl-4-hydroxyanisole) | (1) Fats and oils; lard; monoglycerides and diglycerides; shortening (2) Dried breakfast cereals; dehydrated potato products (3) Chewing gum (4) Essential oils; citrus oil flavours; dry flavours (5) Citrus oils (6) Partially defatted pork fatty tissue; partially defatted beef fatty tissue (7) Vitamin A liquids for addition to food (8) Dry beverage mixes; dry desert and confection mixes | (1) 0.02%. If butylat propyl, dodec used, the tota and gallates s (2) 0.005%. If butylk propyl gallate (3) 0.02%. If butylat is also used, i not exceed 0. (4) 0.125%. If butylk is also used, i not exceed 0. (5) 0.5%. If butylate also used, the exceed 0.01% (6) 0.0065%. If buty is also used, (7) 5 mg/1,000,000 (8) 0.009% |
| 3 B.1- continued | Butylated hydroxyanisole (a mixture of 2-tertiary butyl- 4-hydroxyanisole and 3-tertiary butyl-4-hydroxyanisole)- continued | (9) Active dry yeast (10) Soft drinks (11) Other unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (9) 0.1% (10) 0.02% of the fa food. If butyla propyl, dodec used, the tot: exceed 0.01% (11) 0.02% of the fa food. If butyla propyl, dodec exceed 0.02% and gallates s the food |
| 4 B.2 | Butylated hydroxytoluene (3, | (1) Fats and oils; lard; monoglycerides and diglycerides; | (1) 0.02%. If butylat |



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| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | |
|------------------------------|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | 5-ditertiary butyl-4-hydroxytoluene) | The Laws of Zambia shortening (2) Dried breakfast cereals; dehydrated potato products (3) Chewing gum (4) Essential oils; citrus oil flavours; dry flavours (5) Citrus oils (6) Partially defatted pork fatty tissue; partially defatted beef fatty tissue (7) Vitamin A liquids for addition to food | propyl, dodecyl exceed 0.02% (2) 0.005%. If butyl; total shall not (3) 0.02%. If butyl; is also used, t exceed 0.01% (4) 0.125%. If butyl; is also used, t not exceed 0.1 (5) 0.5%. If butyl; also used, the exceed 0.01% (6) 0.0065%. If butyl; also used, the (7) 5 mg/1,000,000 |
| 4 B.2- <i>continued</i> | Butylated hydroxytoluene-5-ditertiary butyl-4-hydroxytoluene) <i>continued</i> | (8) Parboiled rice (9) Soft drinks (10) Other unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (8) 0.0035% (9) 0.02% of the fat hydroxyanisole total shall not of the fat or t (10) 0.02% of the fa food. If butyl; propyl, dodecyl not exceed 0. not exceed 0. the food |
| 5 C.1 | Citric acid | (1) Fats and oils; lard; monoglycerides and diglycerides; shortening (2) Unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (1) Good manufact (2) Good manufact |
| 6 G.1 | Gallates- dodecyl, octyl, propyl | (1) Edible fats and oils including shortenings (2) Butter fat not intended for direct consumption or for use in recombined milk products (3) Margarine | (1) 0.01% singly or (2) 0.01% singly or (3) 0.01% singly or butylated hyd |
| 7 G.2 | Gallate propyl | (1) Dried breakfast cereals; dehydrated potato products (2) Chewing gum (3) Essential oils; dry flavours | (1) 0.005%. If butyl; also used the (2) 0.01%. If butyl; used the total 0.01% (3) 0.1%. If butyl; used the total exceed 0.01% |
| 7 G.2- <i>continued</i> | Gallate propyl- <i>continued</i> | (4) Citrus oils (5) Soft drinks (6) Other unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (4) 0.5%. If butyl; butylated hyd 0.5% and gall (5) 0.01% of the fat hydroxytoluene fat or the oil c (6) 0.01% of the fat food. If butyl; butylated hyd shall not exce 0.01% of the |
| 8 G.3 | Gum guaiac | (1) Fats and oils; lard; monoglycerides and diglycerides; | (1) Good manufact |

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| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | |
| | | shortening (2) Unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (2) Good manufactu |
| 9 L.1 | Lecithin | (1) Fats and oils; lard; monoglycerides and diglycerides; shortening (2) Unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (1) Good manufact (2) Good manufactu |
| 10 L.2 | Lecithin citrate | (1) Fats and oils; lard; monoglycerides and diglycerides; shortening (2) Unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) pountry meat and poultry meat by-product] | (1) Good manufact (2) Good manufactu |
| 11 M.1 | Monoglycerides citrate | (1) Fats and oils; lard; monoglycerides and diglycerides; shortening (2) Unstandardised foods [except understandised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and pountry meat by-product] | (1) Good manufact (2) Good manufactu |
| 13 M.2 | Monoisopropyl citrate | (1) Fats and oils; lard; monoglycerides and diglycerides; shortening (2) Unstandardised foods [except unstandardised preparations (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (1) Good manufact (2) Good manufactu |
| 13 T.1 | L-tartaric acid | (1) Fats and oils; lard; monoglycerides and diglycerides; shortening (2) Unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (1) Good manufact (2) Good manufactu |
| 14 V.1 | Vegetable oils containing tocopherols | (1) Fats and oils; lard; monoglycerides and diglycerides; shortening (2) Unstandardised foods [except unstandardised preparations of- (a) meat and meat by-product (regulations 300 to 323); (b) fish; and (c) poultry meat and poultry meat by-product] | (1) Good manufact (2) Good manufactu |
| Part XII Food Additives that may be Used as Sequestering Agents | | | |
| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | |
| 1 A.1 | Ammonium citrate, dibasic | Unstandardised foods | Good manufacturin |



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| 2 A.2 | Ammonium citrate, monobasic | Unstandardised foods | Good manufacturing |
| 3 C.1 | Calcium citrate | Unstandardised foods | Good manufacturing |
| 4 C.2 | Calcium disodium ethylenediaminetetraacetate | (1) Ale; beer; light beer; malt liquor; porter; stout (2) French dressing; mayonnaise; salad dressing; unstandardised dressings and sauces (3) Potato salad; sandwich spread (4) Canned shrimp and tuna (5) Canned crabmeat; lobster and salmon (6) Margarine (7) Cooked, canned clams | (1) 25 p.p.m. (2) 75 p.p.m. (3) 100 p.p.m. (4) 250 p.p.m. (5) 275 p.p.m. (6) 75 p.p.m. (7) 340 p.p.m. |
| 5 C.3 | Calcium phosphate, monobasic | (1) Ice cream mix; ice milk mix; sherbet (2) Unstandardised dairy products | (1) Good manufacturing (2) Good manufacturing |
| 6 C.4 | Calcium phosphate, tribasic | Ice cream mix; ice milk mix | Good manufacturing |
| 7 C.5 | Calcium phytate | Glazed fruit | Good manufacturing |
| 8 C.6 | Citric acid | (1) Pumping pickle, cover pickle and dry cure employed in the curing of preserved meat or preserved meat by-product (2) Unstandardised foods | (1) Good manufacturing (2) Good manufacturing |
| 9 D.1 | Disodium ethylenediamine tetraacetate | (1) Dressing and sauces (2) Sandwich spread (3) Canned red kidney beans (4) Dried banana products | (1) 75 p.p.m. calcium ethylenediamine (2) 100 p.p.m. calcium (3) 165 p.p.m. calcium ethylenediamine (4) 295 p.p.m. calcium ethylenediamine |
| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | |
| 10 G.1 | Glycine | Mono- and diglycerides | 0.02% |
| 11 P.1 | Phosphoric acid | Mono- and diglycerides | 0.02% |
| 12 P.2 | Potassium phosphate, monobasic | (1) Ice cream mix; ice milk mix; sherbet (2) Unstandardised foods | (1) Good manufacturing (2) Good manufacturing |
| 13 P.3 | Potassium pyrophosphate, | Meat tenderisers | Good manufacturing |
| 14 S.1 | Sodium acid pyrophosphate | (1) Canned sea foods; preserved beef and pork; preserved beef and pork by-products (2) Ice cream mix; ice milk mix; pumping pickle for the curing of pork and beef cuts (3) Unstandardised foods | (1) 0.5% total added sodium phosphate (2) Good manufacturing (3) Good manufacturing |
| 15 S.2 | Sodium citrate | (1) Ice cream mix; ice milk mix; sherbet; pumping pickle; cover pickle and dry cure employed in the curing of preserved meat or preserved meat by-product (2) Unstandardised foods | (1) Good manufacturing (2) Good manufacturing |
| 16 S.3 | Sodium hexametaphosphate | (1) Preserved beef and pork; preserved beef and pork by-products (2) Canned seafoods (3) Ice cream mix; ice milk mix; pumping pickle for the curing of pork and beef cuts (4) Unstandardised foods | (1) 0.5% total added (2) 0.1% (3) Good manufacturing (4) Good manufacturing |
| 17 S.4 | Sodium phosphate, dibasic | (1) Preserved beef and pork; preserved beef and pork by-products (2) Ice cream mix; ice milk mix; pumping pickle for the curing of pork and beef cuts; sherbet (3) Unstandardised foods | (1) 0.5% total added (2) Good manufacturing (3) Good manufacturing |
| 18 S.5 | Sodium phosphate, monobasic | (1) Preserved beef and pork; preserved beef and pork by-products (2) Ice cream mix; ice milk mix; pumping pickle for the curing of pork and beef cuts; sherbet (3) Unstandardised foods | (1) 0.5% total added (2) Good manufacturing (3) Good manufacturing |
| <i>Column 1 Item No.</i> | <i>Column 2 Additive</i> | <i>Column 3 Permitted in or upon</i> | |
| 19 S.6 | Sodium pyrophosphate, tetrabasic | (1) Preserved beef and pork; preserved beef and pork by-products (2) Ice cream mix; ice milk mix; meat tenderisers; pumping pickle for the curing of pork and beef cuts; sherbet (3) Unstandardised foods | (1) 0.5% total added (2) Good manufacturing (3) Good manufacturing |

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| 20 S.7 | Sodium tripolyphosphate | (1) Preserved beef and pork; preserved beef and pork by-products (2) Pumping pickle for the curing of pork and beef cuts (3) Unstandardised foods | (1) 0.5% total added (2) Good manufacture (3) Good manufacture |
| 21 S.8 | Stearyl citrate | Margarine | 0.15% |

PART XIII

Food Additives that may be used as Starch Modifying Agents

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|----------------------------|----------------------------------|------------------|
| 1 A.1 | Acetic anhydride | Starch | Good manufacture |
| 2 A.2 | Adipic acid | Starch | Good manufacture |
| 3 A.3 | Aluminium sulphate | Starch | Good manufacture |
| 4 E.1 | Epichlorhydrin | Starch | Good manufacture |
| 5 H.1 | Hydrochloric acid | Starch | Good manufacture |
| 6 H.2 | Hydrogen peroxide | Starch | Good manufacture |
| 7 M.1 | Magnesium sulphate | Starch | 0.4% |
| 8 N.1 | Nitric acid | Starch | Good manufacture |
| 9 O.1 | Octenyl succinic anhydride | Starch | Good manufacture |
| 10 P.1 | Peracetic acid | Starch | Good manufacture |
| 11 P.2 | Phosphorus oxychloride | Starch | Good manufacture |
| 12 P.3 | Potassium permanganate | Starch | 50 p.p.m. of m |
| 13 P.4 | Propylene oxide | Starch | 25% |
| 14 S.1 | Sodium acetate | Starch | Good manufacture |
| 15 S.2 | Sodium bicarbonate | Starch | Good manufacture |
| 16 S.3 | Sodium carbonate | Starch | Good manufacture |
| 17 S.4 | Sodium chlorite | Starch | Good manufacture |
| 18 S.5 | Sodium hydroxide | Starch | Good manufacture |
| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
| 19 S.6 | Sodium hypochlorite | Starch | Good manufacture |
| 20 S.7 | Sodium trimetaphosphate | Starch | 400 p.p.m. cal |
| 21 S.8 | Succinic anhydride | Starch | Good manufacture |
| 22 S.9 | Sulphuric acid | Starch | Good manufacture |

Part IV

Food Additives that may be used as Yeast Foods

| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
|----------------------|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| 1 A.1 | Ammonium chloride | (1) Flour; whole wheat flour (2) Bread (3) Unstandardised foods | (1) 2,000 p.p.n (2) 2,500 p.p.n (3) Good manufacture |
| 2 A.2 | Ammonium phosphate | (1) Bread (2) Honey wine; wine (3) Unstandardised bakery foods | (1) 2,500 p.p.n (2) Good manufacture (3) Good manufacture |
| 3 A.3 | Ammonium phosphate, monobasic | (1) Bread see regulation 332 (2) Ale; beer; light beer; malt liquor; porter; stout; wine (3) Unstandardised bakery foods | (1) 2,500 p.p.n (2) Good manufacture (3) Good manufacture |
| 4 A.4 | Ammonium sulphate | (1) Bread (2) Honey wine; wine (3) Unstandardised bakery foods | (1) 2,500 p.p.n (2) Food manufacture (3) Good manufacture |
| 5 C.1 | Calcium carbonate | (1) Bread (2) Unstandardised bakery foods | (1) 2,500 p.p.n (2) Good manufacture |
| 6 C.2 | Calcium chloride | Unstandardised bakery foods | Good manufacture |
| 7 C.3 | Calcium citrate | Unstandardised bakery foods | Good manufacture |
| 8 C.4 | Calcium lactate | (1) Bread (2) Unstandardised bakery foods | (1) 2,500 p.p.n (2) Good manufacture |
| 9 C.5 | Calcium phosphate, dibasic | (1) Bread | (1) 2,500 p.p.n |



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|----------------------|--------------------------------|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| Column 1 Item No. | Column 2 Additive | Column 3 Permitted in or upon | |
| 10 C.6 | Calcium phosphate, monobasic | (1) Bread (2) Flour (3) Unstandardised bakery foods | (2) Good manu (1) 7,500 p.p.n (2) 7,500 p.p.n (3) Good manu |
| 11 C.7 | Calcium phosphate, tribasic | Unstandardised bakery foods | Good manufac |
| 12 C.8 | Calcium sulphate | (1) Bread (2) Unstandardised foods | (1) 5,000 p.p.n (2) Good manu |
| 13 M.1 | Manganese sulphate | Ale; beer; lighacturing practice | |
| 14 P.1 | Phosphoric acid | Ale; beer; light beer; malt liquor; proter; stout | Good manufac |
| 15 P.2 | Potassium chloride | (1) ale; beer; light beer; malt liqor; porter; stout (2) Unstandardised bakery foods | (1) Good manu (2) Good manu |
| 16 P.3 | Potassium phosphate; dibasic | (1) Ale; beer; light beer; honey wine; wine; malt liquor; porter; stout (2) Unstandardised bakery foods | (1) Good manu (2) Good manu |
| 17 P.4 | Potassium phosphate, | Ale, beer, malt liquor; honey wine; lightb beer; wine; | Good manufac |
| 17 P.4 | Potassium phosphate, monobasic | Ale, beer; malt liquor; honey wine; light beer; wine porter stout | Good manufac |
| 18 S.1 | Sodium sulphate | Unstandardised bakery foods | Good manufac |
| 19 U.1 | Urea | Honey wine; wine | Good manufac |
| 20 Z.1 | Zinc sulphate | Ale; beer; light beer; malt liquor; porter; stout | Good manufac |

TWENTIETH SCHEDULE
(Regulation 389)

REASONABLE DAILY INTAKE FOR VARIOUS FOODS

Column 1
Name and Description

1. Alimentary pastes, dry
2. Beverage bases and mixes, flavoured, for addition to milk (ready to serve)
3. Bread, 5 slices
4. Butter
5. Buttermilk
6. Cereals, breakfast or infant
7. Cereals, puffed
8. Cheese (other than cottage cheese)
9. Cheese, cottage
10. Chocolate drink, chocolate milk
11. Condensed milk
12. Cream
13. Evaporated milk, evaporated skim milk
14. Fish, shell fish
15. Fruits, dried
16. Fruits (other than banana, lemon, lime, watermelon)
17. Fruits, banana
18. Fruits, lemon
19. Fruits, lime
20. Fruits, watermelon
21. Fruit drinks, fruit nectars (ready to serve)
22. Fruit drink bases, mixes and concentrates (ready to serve)
23. Fruit juices (other than lemon juice and lime juice)
24. Fruit juices, lemon
25. Fruit juices, lime
26. Ice cream, milk ice
27. Infant formulas, prepared (ready to serve)
28. Infant breakfast, ready breakfast (ready to serve)
29. Margarine
30. Meat, prepared meat
31. Meat substitutes
32. Milk, whole
33. Milk powder (reconstituted and ready to serve)

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- 34. Recombined milk and reconstituted milk products
- 35. Molasses
- 36. Flavoured milk
- 37. Nuts
- 38. Peanut butter
- 39. Poultry meat, prepared poultry meat
- 40. Skim milk, partly skimmed milk
- 41. Flavoured skim milk
- 42. Skim milk powder, partly skimmed milk powder (reconstituted and ready to serve)
- 43. Soup (ready to serve)
- 44. Sterilised milk, ultra high temperature heat-treated milk
- 45. Vegetable juices
- 46. Vegetables (other than baked beans and cooked potatoes)
- 47. Vegetables, baked beans
- 48. Vegetables, cooked potatoes
- 49. Yeast
- 50. Yoghurt, non-fat yoghurt

TWENTY-FIRST SCHEDULE
 (Regulation 409)

FOODS TO WHICH A VITAMIN, MINERAL NUTRIENT OR AMINO ACID MAY BE ADDED

| <i>Column 1</i> Food | <i>Vitamin, M</i> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Breakfast cereals | Vitamin B ₁ , vitamin B ₂ , nicotine aci |
| 2. Fruit nectars, fruit drinks and bases, concentrates and mixes for fruit drink and a mixture of vegetable juices | Vitamin C |
| 3. Infant cereal products | Vitamin B ₁ , vitamin B ₂ , nictinic acid iodine |
| 4. Margarine and other similar substitutes for butter | Vitamin A, vitamin D, vitamin E |
| 5. Alimentary pastes | Vitamin B ₁ , vitamin B ₂ , nicotinic aci |
| 6. Prepared infant formulas | Vitamin A, vitamin C, vitamin B ₁ , vit d-pantothenic acid, folic acid, vitamin K ₁ , calcium, phosphoi zinc, copper, magnesium, ma |
| 7. Flavoured beverage mixes and bases recommended for addition to milk | Vitamin A, vitamin B ₁ , nicotinic acid |
| 8. Foods represented as meat or fish substitutes | Lysine, methionine |
| 9. Ready breakfast, instant breakfast and other similar breakfast replace- ment foods, however described | Vitamin A, vitamin B ₁ , vitamin B ₂ , n |
| 10. Condensed milk, milk, standardised milk, sterilised milk, ultra-high temperature heat-treated milk, milk power | Vitamin D |
| 11. Reconstituted milk, reconstituted milk product, any flavoured milk described in regulation 168, chocolate skimmed milk, partly skimmed milk powder, any flavoured skimmed milk described in regulation 173 | Vitamin A, vitamin D Vitamin C, vitamin D |
| 12. Evaporated milk | Vitamin A, vitamin C, vitamin D |
| 13. Evaporated skim milk | |
| 14. Apple juice, reconstituted apple juice, grape juice, reconstituted grape juice, pineapple juice, reconstituted pineapple juice, concentrated fruit juice | Vitamin C |
| 15. Enriched flour | Vitamin B ₁ , vitamin B ₂ , nicotinic aci |
| 16. Salt, table salt, table salt substitutes | Iodine (in the form of potassium iodk |

TWENTY SECOND SCHEDULE
 (Regulation 423)

STATUTORY INSTRUMENTS REVOKED

| <i>Statutory Instrument Number</i> | <i>Year of publication</i> | |
|----------------------------------------|----------------------------|-----------------------------------------------|
| 2 | 1933 | The Public Health (Sale Water) Regulations |

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| 108 | | 1933 | The Public Health (Sale Regulations) |
| 116 | | 1962 | The Public Health (Food Regulations) |
| 79 | | 1951 | The Public Health (Milk) |
| 314 | | 1953 | The Public Health (Ice-cr |
| 244 | | 1972 | The Food and Drugs (W. |
| 215 | | 1973 | The Poisonous Substan |



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SECTION 23-THE POISONOUS SUBSTANCES IN FOOD REGULATIONS

Statutory Instrument
215 of 1973

Regulations by the Minister

1. These Regulations may be cited as the Poisonous Substances in Food Regulations. Title

2. In these Regulations unless the context otherwise requires- Interpretation

"Act" means the Food and Drugs Act.

3. Except as provided in these Regulations, a food named in Part I or Part II of the Schedule hereto which contains in or upon it- Limits for poisonous substances in food

(a) any or all of the poisonous or harmful substances listed in amounts not exceeding the quantities stated therein in parts per million (p.p.m.) for that food; and

(b) no other poisonous or harmful substance;

is hereby exempted from the provision of paragraph (a) of section *three* of the Act.

SCHEDULE
Part I

| Foods | Substance in parts per million | | | | | |
|-----------------------------|--------------------------------|------|--------|------|------|-----|
| | Arsenic | Lead | Copper | Zinc | Iron | Tin |
| Apple juice | - | 0.3 | 5.0 | 5.0 | 10 | 150 |
| Apricot nectar | 0.2 | 0.3 | - | 5.0 | 15 | 250 |
| Grapefruit juice | - | 0.3 | 5.0 | 5.0 | 15 | 250 |
| Grape juice | - | 0.3 | 5.0 | 5.0 | 15 | - |
| Lemon juice | - | 1.0 | 5.0 | 5.0 | 15 | 250 |
| Orange juice | - | 0.3 | 5.0 | 5.0 | 15 | 250 |
| Peach nectar | 0.2 | 0.3 | 5.0 | 5.0 | 15 | 250 |
| Pear nectar | - | 0.3 | 5.0 | 5.0 | 15 | 250 |
| Tomato juice | - | 0.3 | 5.0 | 5.0 | 15 | - |
| Dextrose anhydrous | 1.0 | 2.0 | 2.0 | - | - | - |
| Dextrose monohydrate | 1.0 | 2.0 | 2.0 | - | - | - |
| Glucose syrup | 1.0 | 2.0 | 5.0 | - | - | - |
| Dried glucose syrup | 1.0 | 2.0 | 5.0 | - | - | - |
| Soft sugars | 1.0 | 2.0 | 10.0 | - | - | - |
| White sugar | 1.0 | 2.0 | 2.0 | - | - | - |
| Powdered sugar | 1.0 | 2.0 | 2.0 | - | - | - |
| Lactose | 1.0 | 2.0 | 2.0 | - | - | - |
| Cocoa butter | 0.5 | 0.5 | 0.4 | - | 20 | - |
| Refined oils and fats | 0.1 | 0.1 | 0.1 | - | 1.5 | - |
| Virgin oils | 0.1 | 0.1 | 0.4 | - | 5.0 | - |
| Canned foods and vegetables | - | - | - | - | - | 250 |
| Citric acid | 1 | 10 | 50 | 50 | - | - |
| Tartaric acid | 1 | 10 | 50 | 50 | - | - |
| Cream of tartar | 2 | 20 | 50 | 50 | - | - |
| Sodium bicarbonate | 2 | 5 | 50 | 50 | - | - |
| Baking powder | 2 | 10 | 50 | 50 | - | - |
| Phosphoric acid | 4 | 5 | 30 | 30 | - | - |

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| | Substance in parts per million | | | | | |
|------------------------------------------|--------------------------------|------|--------|------|------|-----|
| | Arsenic | Lead | Copper | Zinc | Iron | Tin |
| Foods | | | | | | |
| Calcium phosphate | 4 | 5 | 30 | 30 | - | - |
| Sodium potassium and ammonium phosphates | 4 | 5 | 30 | 30 | - | - |
| Sodium and potassium nitrates | 1 | 10 | 50 | 50 | - | - |
| Sodium nitrite | 1 | 20 | 50 | 50 | - | - |
| Aluminium compounds | 3 | 10 | 50 | 50 | - | - |
| Marine and fresh water animal products | 5 | 10 | 100 | 100 | - | - |
| Liver | 1 | 2 | 150 | 100 | - | - |
| Fresh fruits | 2 | 7 | 50 | 50 | - | - |
| Fresh vegetables | 1 | 2 | 50 | 50 | - | - |
| Gelatin | 2 | 7 | 30 | 100 | - | - |
| Gelling agents, except gelatin | 2 | 20 | 50 | 200 | - | - |
| Dried herbs and species | 5 | 10 | 50 | 50 | - | - |
| Beverages as consumed and bottled water | 0.1 | 0.2 | 2 | 5 | - | - |
| Tea | 1 | 10 | 150 | 50 | - | - |
| Edible bone meal | 1 | 10 | 20 | 150 | - | - |
| Fish protein | 3.5 | 0.5 | - | - | - | - |
| Other foods not specified | - | 0.5 | - | - | - | - |

Part II

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|---------------------|----------------------------------------------------------------------------------------|--------------------------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Aldicarb | 2-methyl-2-(methylthio) propionaldehyde O-(methyl carbamoyl) oxime | | 0.1 | Cottonseed |
| Aldrin | 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-exo-1,4-endo-5,8-dimethanonaphthalene | | 0.2 0.1 | Beets, carrots, potatoes, turnip; Maize grain, man spinach, sweet sorghum grain, Raw cereals |
| Aluminium phosphide | Aluminium phosphide | Phostoxin | 0.1 0.01 | Flour and other n products, break cereals, dried vegetables, spic |
| Anilazine | 2,4-dichloro-6-(2-chloroanilino)-1,3,5-triazine | Dyrene | 20 10 5 1.0 | Strawberries Blueberries, cele cranberries, cur garlic, gooseber huckleberries, le onions, shallots Blackberries, cantaloupes, cu dewberries, hon melons, loganbe muskberries, sq pumpkins, rasp watermelons Potatoes |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-------------|-------------------------------------------------------|--------------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------|
| Atrazine | 2-chloro-4-ethylamino-6-isopropylamino-1,3,5-triazine | | 0.25 0.02 | Maize grain, sorg grain, sugar car wheat grain Eggs, milk, meat and meat by-pr of cattle, goats, horses, poultry ; sheep |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-----------------|-----------------------------------------------------------------------------------------|--------------------------------------|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Azinphosmethyl | S-[3,4-dihydro-4-oxobenzo(a)-(1,2,3)-triazin-3-ylmethyl] dimethyl phosphorothiothionate | Guthion | 4.0 1.0 0.5 | Apricots, grapes Other fruits Vegetables |
| Benomyl | Methyl-N-[1-(butylcarbamoyl)-2-benzimi-dazole]carbamate | Benlate | 15 2.0 1.0 | Apricots, cherries nectarines, pea plums (including prunes) Snap beans (succulent) Cucumbers, melk summer squash winter squash |
| Binapacryl | 2-(1-methyl-n-propyl)4,6-dinitrophenyl 2-methylcrotonate | Morocide | 0.2 1.0 0.5 0.3 0.2 | Banana pulp, pea sugarbeet roots Peaches, cherrie Apples, pears, gr Plums Nectarines |
| Bonaid | Ethyl 4-hydroxy-6,7-diisobutoxy-3-quinoline carboxylate | | 0.4 0.1 1.5 | Poultry meat and by-products, kic and liver of pou poultry skin and underlying fat Muscle of poultry Apples |
| Bromophos | 4-bromo-2,5-dichlorophenyl dimethyl phosphorothionate | | | |
| Calcium cyanide | Calcium cyanide | | 25 | Barley, maize, ric oats, sorghum, |
| Captafol | N-(1,1,2,2-tetrachloroethylthio)-3a,4,7,7a-tetrahydrophthalimide | Diflotan | 15 10 2.0 5 2.0 1.0 0.5 0.2 | Peaches Cherries (sour) Cherries (sweet) Tomatoes Melons (whole) Cucumbers (who Apricots Plums |
| Captan | N-(trichloro-methylthio)-3a,4,7,7a-tetrahydrophthalimide | | 40 30 20 15 10 | Apples, cherries Pears Apricots Citrus fruits, pear rhubarb, tomatc Strawberries, |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-------------|----------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Carbaryl | 1-naphthyl methylcarbamate | Sevin | 5 | raspberries, cranberries, cucumbers, green lettuce, marrow peppers |
| | | | 10 | Raisins |
| | | | 7 | Raspberries, black boysenberries, nectarines, asparagus, okra, leafy vegetables (except brassica), (whole), olives (sunflower seed avocados) |
| | | | 5 | Citrus fruits, figs, guavas, mango mulberries, strawberries, blueberries, peaches |
| | | | 0.5 | Apples, bananas grapes, beans, (including pod), brassica, tomatoes, peppers, eggplants, poultry (skin) |
| | | | 3.0 | Poultry (total) (excluding portions) |
| 2.5 | Cucurbits (including pumpkins) | | | |
| 1.0 | Rice | | | |
| 0.5 | Cottonseed (whole), sweetcorn (kernels), nuts, maize, millet, shelled olives (meat of cattle, goats, sheep, sorghum) | | | |
| 0.2 | Onions | | | |
| | | | | Potatoes |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-----------------|------------------------------------------------------------|--------------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Carbofuran | 2,3-dihydro-2,2-dimethyl benzofuran-7-yl methylcarbamate | Furadan | 0.5** 0.2** 0.1** | Turnips Rice |
| Carbophenothion | S-(4-chlorophenylthiomethyl) diethyl phosphorothiothionate | Trithion Garrathion | 2.0 | Maize grain, sugarcane, grapefruit, lemons, limes, oranges, sorghum grain, tangelos, tangerines |
| | | | 0.8 | Apples, apricots, snap (succulent beans, lime (spherical), beetroots, cantaloupes, cherries, crabapples, cucumbers, eggplants, figs, nectarines, olive onions (dry bulb onions (green)), pears, peas (sugar) |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|----------------|---------------------------------------------------------------------|--------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| | | | 0.2 | form), peppers, pimentos, plum: prunes) quinces soybeans (succ form), spinach, strawberries, su squash, tomato watermelons |
| | | | 0.1 | Maize (kernels pl with husk remo |
| Chinomethionat | 6-methyl-2-oxo-1,3-dithiolo (4,5-b)-quinoxaline | Morestan | 6.0 4.0 3.0 1.5 | Fat of cattle, goa hogs and sheep Strawberries Apricots, peache Cherries Apples, honeyde melons, muskm (cantaloupes), r summer squash |
| | | | 1.0 0.75 | Plums (fresh prui Cucumbers, wate melons, winter : |
| Chlorbenside | 4-chlorophenzyl 4-chlorophenyl sulphide | | 3.0 | Apples, apricots, crabapples, eggr grapes, nectarir peaches, plums strawberries, to |
| Chlordane | 1,2,4,5,6,7,8,8-octachloro-3a,4,7,7a-tetrahydro-4,7-methyleneindane | | 0.3 | Potatoes, sweet rutabagas, turni parsnips, sugar radishes |
| | | | 0.2 | Asparagus, brocc Brussels sprout cabbage, celery cauliflower, mus greens, spinach |
| | | | 0.2 0.02 | Swiss chard, letti Beans, peas, eg tomatoes, colla wheat, rye, oats (polished), maiz popcorn |
| | | | 0.05 0.1 | Sorghum Cantaloupes, cuc pumpkins, squa watermelons |
| | | | 0.1 | Almonds, banan guavas, filberts, mangoes, olive passion fruit, pe pecans |
| | | | 0.1 | Pomegranates, pineapples, strawberries, w |
| | | | 0.02 | Citrus, pome anc fruits |
| | | | 0.5 | Crude soyabean linseed oils |
| | | | 0.1 | Crude cottonsee |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-------------|---------------|--------------------------------------|-------------------|-------------------|
| | | | 0.02 | Edible cottonseed |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

** Including its metabolite 2,3-dihydro-2,2-dimethyl-3-hydroxy-7-benzofuranyl N-methylcarbamate.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-----------------------------------|------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Chlordane- <i>continued</i> | 1,2,4,5,6,7,8,8-octachloro-3a,4,7,7a-tetrahydro-4,7-methyleneindane- <i>continued</i> | | 0.02 0.05 0.05 0.02 | Edible soyabean Milk and milk pro (fat basis) Fat of meat and Eggs (shell-free) |
| Chlorfenson | 4-chlorophenyl 4-chlorobenzenesulphonate | ovex Ovotran | 5.0 3.0 | Citrus fruits Apples, peaches plums, prunes |
| Chlorfenvinphos | 2-chloro-1-(2,4-dichloro-phenyl) vinyl diethyl phosphate | Birlane | 0.4 0.2 0.2 0.1 0.05 | Carrots, celery meat (fat basis) Milk and milk pro cauliflower, radi horseradish, tor Brussels sprouts broccoli, swede potatoes, sweet onions, leeks, a mushrooms, pe (shelled), maize grain, cottonseed (raw and polish) |
| Clopidol (Coyden 25) | 3,5-dichloro-2,6-dimethyl-4-pyridinol | | 25 10 | Uncooked liver a kidney of poultr Uncooked tissue poultry |
| Chlorobenzilate | Ethyl 4,4'- dichlorodiphenylglycollate or ethyl 4,4'-dichlorobenzilate | | 5.0 1.0 0.2 1.0 | Apples, pears (w fruit) Citrus fruit (whole almonds, walnu (without shells) Melons, cantalou |
| Chlorphenamidine | N N-dimethyl-N'-(2-methyl-4-chlorophenyl)-formamidine | | 5.0 4.0 3.0 5.0 | Pears Peaches Apples Pears |
| Chlorphenamidine hydrochloride | N N-dimethyl-N'-2(-methyl-4-chlorophenyl)-formamidine hydrochloride | | 4.0 3.0 2.0 | Peaches, plums, Apples, Brussels cauliflower Broccoli |
| Chlorpropham | Isopropyl N-(3-chlorophenyl) | Chloro-IPC | 0.5 50 | Cabbages Potatoes |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|------------------|-----------------------------------------------------------------------|--------------------------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Chloropropylate | carbamate Isopropyl 4,4'-dichlorobenzilate | CIPC | 3.0 | Apples, pears, ci fruit (whole) |
| Chlorthal methyl | Dimethyl ester of 2,3,5,6-tetra- chloroterephthalic acid | Daethyl | 1.0 5 2.0 | Tomatoes, canta Mustard greens, turnip greens Beans, black-eye collards, kale, le peppers, pimen potatoes, soybe strawberries, sv potatoes, turnip |
| Coumaphos | 3-chloro-4-methyl-7-coumarinyl diethyl phosphorothionate | Co-Ral | 1.0 0.05 | Broccoli, Brussel sprouts, cabbag cantaloupes, ga honeydew melo onions, summe tomatoes, water melons, winter : |
| Crufomate | 4-tertiary butyl-2-chlorophenyl methyl-N- methylphosphoramidate | | 0.05 0.5 1.0 | Maize grain, pop sweetcorn (kerr cob with husk re Eggs (shell-free) Meat (including p on fat basis Whole milk Meat (fat basis) |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-------------|---------------------------------------------------|--------------------------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dalapon-Na | Sodium 2,2 dichloropropionate | Dowpon Radapon | 35 30 15 10 | Peaches, plums Asparagus Peas |
| | | | 5 | Maize grain, drier corn (kernels ar potatoes, cranb citrus fruits Bananas, grapefi sugarbeets (roo tops) tangerines corn (including : corn kernels plu with husk remo |
| | | | 3.0 | Apples, grapes, f pineapples |
| | | | 2.0 | Coffee |
| | | | 1.0 | Apricots |
| DDT | 1,1,1-trichloro-2,2-di-(4- chlorophenyl)ethane | Arkotine | 7 | Apples, pears, pe apricots, small f (except strawbe vegetables (exc meat or poultry basis) |
| | | | 1.0 | Maize, millets, sc |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|----------------------------------|------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | 3.5 | wheat grain, sunflower seed nuts (shelled), strawberries, ro vegetables |
| | | | 0.5 | Cherries, plums, and tropical fruit |
| | | | 1.25 | Whole milk |
| | | | 0.5 | Milk products (fat) |
| | | | 65 | Eggs (shell-free) |
| Dehydroacetic acid (sodium salt) | 3-acetyl-6-methyl-2,4-pyran-dione, sodium salt | | | Strawberries |
| | | | 10 | Bananas (edible) |
| Demeton | A mixture of diethyl 2-(ethylthio)ethyl phosphorothionate and diethyl-2-(ethylthio)ethyl phosphorothiolate | | 1.25 | Grapes, hops |
| | | | 0.75 | Almonds, apples, apricots, barley, broccoli, Brussels sprouts, cabbage, cauliflower, celery, filberts, grapefruit, lemon, lettuce, muskmelons, nut, oat grain, oranges, peaches, pears, pecans, pepper, potatoes, strawberries, tomatoes, walnuts, wheat grain |
| | | | 0.5 | Sugarbeets |
| | | | 0.2 | Sorghum grain |
| Diazinon | Diethyl 2-isopropyl-6-methyl-4-Pyrimidinyl phosphorothionate | Basudin | 0.7 | Peaches, citrus fruits, cherries |
| | | | 0.5 | Other fruits |
| | | | 0.7 | Leafy vegetables |
| | | | 0.5 | Other vegetables |
| | | | 0.1 | Wheat, barley, rice (polished) |
| | | | 0.5 | Almonds, walnuts, filberts, pecans, peanuts (shelled) |
| | | | 0.5 | Cottonseed, safflower seed, sunflower seed |
| | | | 0.7 | Sweet corn (kern cobs with husks removed) |
| | | | 2.0 | Olives and olive oil |
| | | | 0.7 | Fat of meat of cattle, sheep and hogs |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

Trade name,



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 *Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-----------------------|---------------------------------------|--------------------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dibromo-chloropropane | 1,2,dibromo-3-chloropropane | Fumazone | 130 | Endive, lettuce Bananas (in pulp Beans, carrots, c figs, okra, parsr radishes, turnip Broccoli, Brussel sprouts, cabbag cantaloupes, ca eggplants, hone melons, muskr peppers, pineap tomatoes Blackberries, boysenberries, cucumbers, dev grapes, loganbe raspberries, sur squash Citrus fruits Strawberries, wa Apricots, nectarir peaches Strawberries Apples, beans, c cherries, peach (fresh prunes), i Cocoa beans Raw grain (whea rye, oats, barley sorghum, etc.) Milled products fr raw grain Coffee beans, so lentils, peanuts Mushrooms Fresh vegetables (except lettuce) Lettuce Tomatoes Fresh fruit (apple pears, peaches strawberries, et Meat of cattle, sh goats, pigs and Eggs (shell-free) Milk (whole) Miscellaneous fo not otherwise sp Apricots, nectarir peaches, sweet snap beans Blackberries, boysenberries, r raspberries, str Cucumbers, garli onions, tomatoe Plums (fresh prui |
| | | Nemagon | 125 | |
| | | Fumagon | 75 | |
| Dichlone | 2,3-dichloro-1,4-naphtho-quinone | | 50 | |
| | | | 25 | |
| Dichlorvos DDVP | 2,2 dichloro-vinyl dimethyl phosphate | DDVS Nogos Vapona | 20 | |
| | | | 10 | |
| | | | 5 | |
| | | | 15 | |
| | | | 3.0 | |
| | | | 5.0 | |
| | | | 2.0 | |
| | | | 0.5 | |
| | | | 2.0 | |
| | | | 0.5 | |
| | | | 0.5 | |
| | | | 1.0 | |
| 0.5 | | | | |
| 0.1 | | | | |
| Dicloran | 2,6-dichloro-4-nitroaniline | Botran Allisan | 0.05 | |
| | | | 0.05 | |
| | | | 0.02 | |
| | | | 0.1 | |
| | | | 20 | |
| | | | 15 | |
| | | | 5 | |
| | | | 1.0 | |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-------------|----------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dicofol | 2,2,2-trichloro-1,1-di(4-chlorophenyl)ethanol | Kelthane | 0.25 5 | Potatoes Fruit, hops, vegetable (dry manufactured) |
| Dieldrin | 1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-exo-1,4-endo-exo-5,8 dimethanonaphthalene | | 0.1 0.1 0.05 0.02 0.2 0.2 | Asparagus, bean, broccoli, Brussels sprouts, cabbage, cauliflower, chiro-cabbage, cowpea, cucumber, eggplant, horseradish, kohlrabi, onions, parsnips, peanuts, peppers, pimentos, radishes, radish, soybeans, turr Fruit (other than citrus), maize grain Citrus fruit, sugar Rice (rough) Potatoes Carrots, lettuce, i |

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Dieldrin- <i>continua</i> | 1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-exo-1,4-endo-exo-5,8 dimethanonaphthalene- <i>continua</i> | | 0.15 0.02 | Milk and milk products (fat basis) Raw cereals (other than rice) Eggs (shell-free) Tree fruit (including citrus) |
| Dimethoate | Dimethyl S-(N-methylcarbamoylmethyl) phosphorothiothionate | | 0.1 2.0 | |
| Dioxathion | 1,4-dioxan-2,3-ylidene bis(OO-diethyl) phosphorothiothionate | Delnav | 1.0 2.0 5.0 2.0 3.0 1.0 | Maize, millets and sorghum, tomatoes and peppers Other vegetables Pome fruit Grapes Citrus fruit Meat, excluding f |
| Diphenyl | Biphenyl, or phenyl benzene | | 110 | Citrus fruit |
| Diphenamid | NN-dimethyl-2,2-diphenylacetamide | | 1.0 0.1 | Potatoes, strawberries Eggplants, peppers, pimentos, tomatoes |
| Diphenylamine | | Diphenylamine | | 10.0 |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|----------------|--------------------------------------------------------|--------------------------------------|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Diquat(cation) | 9,10-dihydro-8a,10a-diazoniaphenanthrene ion | | 5 2.0 0.1 0.1 0.1 | Rice (in husk) Rape seed, sorgl Peas, beans, sur Onions, potatoes rice (polished) Edible oils (sesa seed, sunflower rape seed, cott |
| Disul-sodium | Sodium 4,dichlorophenoxy ethyl sulphate | | 2.0 6 | Asparagus, straw Potatoes, peanut |
| Disulfoton | Diethyl S-[2-(ethylthio)ethyl] phosphorothiolothionate | | 0.75 | Barley grain, bea broccoli, Brusse sprouts, cabbaç cauliflower, cott lettuce, oatgrair peanuts, peas, pineapples, pot: rice, sorghum g spinach, tomatc |
| Diuron | 3-(3,4-dichlorophenyl)-1,1 dimethylurea | | 0.5 0.3 0.1 7 1.0 | Hops, sugar beel Coffee, maize gr: sugar cane, wh grain Peppers, soyabe Asparagus Apples, artichoke barley grain, blackberries, blueberries, boysenberries, r fruits, maize in t or ear form (incl sweet corn, fiel popcorn), cotten currants, dewbe gooseberries, g huckleberries, loganberries, or olives, pears, pi pineapple, pota: raspberries, rye sorghum grain, cane, vetch (se wheat grain |
| Dodine | Dodecylguanidine acetate | Melprex | 5 | Apples, cherries, pears |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-----------------------------|-----------------------------------------------|--------------------------------------|-------------------------|---------------------------------------------------------------------------------------------------|
| Dodine- <i>continued</i> | Dodecylguanidine acetate- <i>continued</i> | | 10 2.0 0.3 0.2 | Strawberries Peanuts, peas, p soyabeans Black walnuts an pecans Maize, millets, sc |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|------------------------|-----------------------------------------------------------------------------------------------------|--------------------------------------|-------------------|-------------------|
| Endosulfan | 6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-6,9-methano-2,4,3-benzo(e)dioxathiepin-3-oxide | Thiodan Thionex | 30 | wheat |
| | | | 2.0 | Tea (dry manufa |
| | | | 0.5 | Fruit, vegetables |
| | | | 0.2 | Cottonseed |
| | | | 0.1 | Cottonseed oil (c |
| Endrin | 1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-exo-1,4-exo-5,8-dimethanonaphthalene | | 0.1 | Rice, unpolished |
| | | | 0.1 | Cottonseed, cotti |
| | | | | oil (crude) |
| | | | 0.2 | Edible cottonsee |
| | | | | maize oil |
| EPN | Ethyl 4-nitrophenyl phenylphosphonothionate | | 0.02 | Apples, wheat, b |
| | | | | sorghum, rice (l |
| | | | | and/or polished |
| | | | 0.02 | Milk and milk pro |
| | | | | (fat basis) |
| | | | 1.0 | Fat of poultry |
| | | | 0.2 | Eggs (shell-free) |
| | | | 3.0 | Apples, apricots, |
| | | | | beets, blackber |
| | | | | boysenberries, i |
| | citrus fruits, ma | | | |
| | dewberries, gra | | | |
| | lettuce, loganbe | | | |
| | nectarines, olive | | | |
| | peaches, pears | | | |
| | pineapples, plu | | | |
| | (fresh prunes), i | | | |
| | raspberries, ruti | | | |
| | spinach, strawb | | | |
| | sugar beets (no | | | |
| | tomatoes, turni | | | |
| | youngberries | | | |
| | Almonds, cottons | | | |
| | pecans, walnuts | | | |
| | Soyabeans | | | |
| | Grapes | | | |
| | Other fruit | | | |
| | Vegetables | | | |
| | Tea | | | |
| | Meat (fat basis) | | | |
| | Apples, pears | | | |
| | Broccoli, carrots, | | | |
| | parsnips, potat | | | |
| | Eggplant, okra, s | | | |
| | squash, sweet c | | | |
| | sweet potatoes, | | | |
| | tomatoes, barle | | | |
| | sorghum and w | | | |
| | Pineapple | | | |
| | Cucumbers, lettu | | | |
| | peppers | | | |
| | Cottonseed, pear | | | |
| | Asparagus, cauli | | | |
| | Lima beans, stra | | | |
| | Meat (fat basis) | | | |
| Ethion | Tetraethyl SS'-methylene bis (phosphorothiolothionate) | | 0.5 | |
| | | | 0.05 | |
| | | | 2.0 | |
| | | | 1.0 | |
| | | | 0.5 | |
| | | | 7 | |
| | | | 2.5 | |
| | | | 3.0 | |
| Etoxyquin | 1,2-dihydro-6-ethoxy-2,2,4-trimethylquinoline | | 75 | |
| Ethylene dibromide EDB | 1,2-dibromoethane | | 50 | |
| | | | 40 | |
| | | | 30 | |
| | | | 25 | |
| | | | 10 | |
| | | | 5 | |
| Fenchlorphos | Dimethyl 2,4,5-trichlorophenyl phosphorothionate | | 7.5 | |

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|--------------|---------------------------------------------------|--------------------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Fenitrothion | Dimethyl 3-methyl-4-nitrophenyl phosphorothionate | Sumithion Folithion Danathion | 0.05 0.04 2.0 0.05 0.3 0.2 0.1 0.05 0.03 0.02 | Egg yolk Whole milk Maize and sorgho Apples, cherries, lettuce Red cabbage, tea (at harvest) Tomatoes Cocoa, coffee beans Milk products (fat) Meat or fat of meat Milk (whole) |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|------------------------------------|------------------------------------------------------------------|--------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Fentin acetate Fentin hydroxide | Triphenyl tin acetate Triphenyl tin hydroxide } | Brestan Du-ter | 1.0 0.2 0.1 | Celery Sugarbeet, carrot Potatoes, celeriac |
| Fensulfothion | Diethyl 4-(methylsulphinyl) phenyl phosphorothioate | | 0.05 0.1 0.05 0.02 0.02 | Peanuts (shelled) Maize grain, onion potatoes, tomato Peanuts, pineapple sugarbeets Bananas, sugar Meat, fat and meat products of cattle goats and sheep Apples, peaches cherries, fat of Cabbage, cauliflower olives, olive oil Grapes, oranges meat Squash Apples |
| Fenthion | Dimethyl 3-methyl-4-methylthiophenyl phosphorothionate | Lebaycid | 2.0 1.0 0.5 | Apples, apricots, asparagus, bean blackberries, blueberries, broccoli, Brussels sprouts, cabbage |
| Fenazaflor | Phenyl 5,6-dichloro-2-trifluoromethylbenzimidazole-1-carboxylate | Lovozaal | 0.2 2.0 | |
| Ferbam | Ferric dimethyldithiocarbamate | | 7 | |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-------------|--------------------------------------------|--------------------------------------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Folpet | N-(trichloromethylthio) phthalimide | Phaltan | 0.1 30 25 15 10 5 2.0 | cauliflower, cele cherries, collarc cranberries, cuc currants, dates, eggplants, goos grapes, guavas huckleberries, k kohlrabi, lettuce loganberries, m melons, mustar nectarines, onic papayas, peach peanuts, pears, peppers, plums prunes), pumpk quinces, radish raspberries, rut spinach, squas strawberries, su squash, tomato Almonds Currants (fresh) Grapes, blueberr Cherries, raspber Apples, citrus fru Tomatoes, straw Cucumbers, cant (whole), water n (whole), onions Asparagus, maiz peanuts, beets, chicory, garlic, (s onion, horserad jerusalem artich leeks, onions, p potatoes, radish rutabagas, salsic shallots, spring sugar beets, sw potatoes, turnip |
| Fonolos | O-ethylphenyl ethylphosphonothiolathionate | | 0.1 | |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | F |
|-------------|-----------------------------------------------------------------------|--------------------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Formothion | S-(N-formyl-N-methylcarbamoylmethyl) dimethyl phosphorothiolothionate | | 0.3 2.0 | Strawberries Blackcurrants |
| Glyodin | 2-heptadecyl-2-imidazoline acetate | Crab Fungicide 341 | 5 | Apples, cherries, peaches, pears |
| Heptachlor | 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-4,7-methanoindene | | 0.15 0.2 0.02 0.05 | Milk and milk prod (fat basis) Fat of meat and pr Raw cereals, tom cottonseed, so edible soyabean Vegetables (excep |

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|--------------------------------|--------------------------------------------------------------------------|--------------------------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Malathion- <i>continued</i> | | | 8 | chinese cabbag marrow, soyabe spinach, maize, sorghum |
| | | | 6 | Avacado, cherrie guava, mango, mulberry, peach plums, pomegra |
| | | | 5 | Broccoli |
| | | | 3.0 | Tomatoes, kale, |
| | | | 2.0 | Beans (green), a |
| | | | 1.0 | Strawberries, cel |
| | | | 0.5 | Pears, blueberrie (in pod), cauliflc peppers, eggpla kohlrabi, roots (turnips), swiss c collards |
| Maleic hydrazide | 6-hydroxy-3-(2H)-pyridazinone | | 50 | Potatoes |
| | | | 30 | Beets, carrots, rutabagas |
| | | | 15 | Onions |
| Mancozeb | A complex of zinc and maneb containing 20% manganese and 2.5% zinc | Dithane M-45 | 2.0 | Marrows and pur |
| Maneb | Manganese ethylene-1,2- bisdithiocarbamate | Dithane M-22 | 1.0 | Potatoes |
| | | | 2.0 | Bananas (edible |
| | | | 10 | Apricots, beans (succulent), bro Brussels sprout cabbage, caulifi celery, chinese collards, endive (escarole), kale, kohlrabi, lettuce mustard greens nectarines, pap peaches, rhuba spinach, turnip |
| | | | 7 | Apples, beans (d carrots, cranber cucumbers, egg figs, grapes, me onions, peppers pumpkins, sumi squash, sweet c (kernels plus co husks removed, tomatoes, turnip winter squash |
| | | | 0.1 | Almonds, potatoe |
| | | | 0.1 | Apples |
| Mercapto- benzothiazole | Mercaptobenzothiazole | | | |
| Methomyl | 1-(methylthio)ethylidenea mino N-methylcarbamate | Lannate | 5 | Cabbage |
| | | | 0.2 | Fruiting vegetabl leafy vegetables |



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|--------------|------------------------------------------------|--------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Methoxychlor | 1,1,1-trichloro-2,2-di-(4-methoxyphenyl)ethane | | 0.1 14 | (except cabbage Maize grain (incl popcorn), fresh including sweet (kernels plus co husks removed) Apples, apricots asparagus, bea blackberries, blueberries, boysenberries, l Brussels sprout cabbage, caulifi cherries, collarc maize (in husk), cranberries, cuc currants, dewbe eggplants, goos grape, kale, kol lettuce, loganbe melons, mushrc nectarines, pea peanuts, pears, |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|---------------------------------------------------------------------------|------------------------------------------------------------------------|--------------------------------------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Methoxychlor- <i>continued</i> | | | 14 | peppers, pineap plums (fresh pri pumpkins, quini radishes, raspb rutabagas, spin squash, strawbe summer squasf tomatoes, turnip youngberries Sweet potatoes, Fat of meat from goats, hogs, ho Barley, maize, gr of oats, rice, rye sorghum, whea Potatoes Nuts, peanuts Raw cereals, coc Dried fruits Milled cereal pro Bread, other cool cereal products fruits and nuts, Potatoes |
| Methyl bromide | Bromomethane | Dowfume | 7 3.0 2.0 1.0 100 50 20 10 0.5 | |
| Methyl ester of α -naphthalene acetic acid Methyl formate | Methyl ester of α -naphthalene acetic acid Methyl formate | | 9 250 | Currants, dates |
| Mevinphos | 2-methoxy-carbonyl-1- | Phosdrin | 0.25 | Apples, asparaqi |

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|-------------|--------------------------------------------------|--------------------------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | methylvinyl dimethyl phosphate | | 0.25 | broccoli, Brussels sprouts, cabbage, cauliflower, celeriac, collards, kale, leafy mustard greens (green), pears, plums, raspberries, spinach, strawberries, tomatoes, turnip tops |
| Monuron | 3-(4-chlorophenyl)-1,1-dimethylurea | | 7 1.0 | Asparagus Avocados, citrus fruits, grapes, grapefruit, cottonseed, kurat lemons, limes, oranges, pineapple, spinach, sugar cane, tangerines |
| Nabam | Disodium ethylene-1,2-bisdithiocarbamate | | 7 | Apples, apricots, beets, blackberries, black-eyed peas, broccoli, Brussels sprouts, cabbage, carrots, cauliflower, cherries, citrus fruits, maize, cranberries, cucumbers, eggplants, endives, gooseberries, guavas, kohlrabi, loganberries, mushrooms, onions, parsley, peaches, peanuts, peas, peppers, pumpkins, quinn radishes, raspberries, rutabagas, squash, strawberries, summer squash, chard, tomatoes |
| Naled | 1,2-dibromo-2,2-dichloroethyl dimethyl phosphate | Dibrom | 0.5 | Beans (dry and succulent forms), cucumbers, eggplants, melons (cantaloupe, honeydew, melons, watermelon and others), peppers, and succulent fruits |

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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-------------|---------------|--------------------------------------|-------------------|-------------------|
| Naled | | | 0.5 | peppers, pumpkins |



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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|------------------|--------------------------------------------------------|--------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>continued</i> | | | | rice, soya bean; and succulent fruit; summer squash; tomatoes, winter; Broccoli, Brussels sprouts, cabbage; cauliflower, lettuce; strawberries |
| Nicotine | -3-(1-methyl-2-pyrrolidyl) pyridine | | 1.0 3.0 2.0 | Chard, grapefruit lemons, orange spinach, tangerine turnip tops Apples, apricots, artichokes, asparagus, beans, beets, blackberries, blackberries, blackberries, boysenberries, broccoli, Brussels sprouts, cabbage; cantaloupes, celery, cherries, collards, maize, cucumbers, eggplant, grapefruits, green onions, kohlrabi, lemon-lettuce, lima beans, limes, mushrooms, melons, mustard nectarines, oranges, parsley, parsnips, peach, peas, peppers, plums, prunes, pumpkins, quinn radishes, rutabaga, snapbeans, strawberries, squash, swiss chard, tangerines, tomatoes, turnips, watermelon, winter squash, youngberries |
| Omethoate | Dimethyl S-(N-methylcarbamoyl-methyl) phosphorothioate | | 2.0 1.0 0.2 0.1 0.04 0.02 | Apples, beans, cabbage, cauliflower, endive (escarole), kale lettuce, oranges, peas, peppers, swiss chard, turnips, melons Potatoes Pecans Wheat grain Meat, fat and meat products of cattle, hogs, horses and |
| Omite | 2-(P-T-butylphenoxy) | | 3.0 | Apples, citrus, pe |



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|-------------|-----------------------------------------|--------------------------------------|-------------------|--------------------------------------------------------------|
| Paraquat | 1,1'-dimethyl-4,4'-bipyridylium ion | Gramoxone | 3.0 | plums, prunes |
| | | | 4.0 | Nectarines |
| | | | 7 | Apricots, peaches, grapes, strawberries |
| | | | 30 | Hops (dried) |
| | | | 0.2 | Cottonseed |
| Parathion | Diethyl 4-nitrophenyl phosphorothionate | Folidol | 0.1 | Potatoes |
| | | | 0.05 | Cottonseed meal, cottonseed oil (including sugar cane juice) |
| | | | 0.7 | Vegetables (except carrots) |
| | | | 1.0 | Peaches, apricot, citrus fruit |
| | | | 0.5 | Other fresh fruit |
| | | | 0.7 | Vegetables (except carrots) |
| | | | 1.0 | Peaches, apricot, citrus fruit |
| | | | 0.5 | Other fresh fruit |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|------------------|----------------------------------------------------------------------------|--------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Parathion-methyl | Dimethyl 4-nitrophenyl phosphorothionate | | 0.2 | Fruit, cole crops, cucurbits |
| | 1,1-dichloro-2,2-bis(4-ethylphenyl)ethane | Perthane | 1.0 | Other vegetables |
| | | | 0.05 | Cottonseed oil |
| | | | 15 | Apples, broccoli, Brussels sprouts, cabbage, cauliflower, cherries, chine cabbage, endive, kohlrabi, lettuce, mustard greens, pears, spinach |
| | | | 120 | Cantaloupes (wh) |
| | | | 25 | Pears |
| 20 | Carrots, peaches | | | |
| 15 | Sweet potatoes, plums (including prunes) | | | |
| 10 | Citrus fruit, cucurpeppers, cantal (edible portions), pineapples, tomatoes | | | |
| Phorate | Diethyl S-(ethylthiomethyl) phosphorothiolothioate | 0.3 | 3.0 | Cherries, nectarines |
| | | | 0.5 | Hops, potatoes |
| | | | 0.1 | Sugar beet roots, Barley grain, bean, maize grain, sweet (kernels plus cob husk removed), peanuts, rice, sorghum grain, sugar carrots, tomatoes |

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The Laws of Zambia

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| Phosalone | S-(6-chloro-2-oxobenzoxazolin-3-yl)methyl diethyl phosphorothiothionate | | 4.0 6 10 | Peaches Cherries Apples, pears |
| Phosmet | OO-dimethyl phtalimidomethyl phosphorothionate | Imidan | 5 7 10 | Plums Cherries Apples, grapes, pears |
| Phosphamidon | 2-chloro-2-diethylcarbamoyl-1-1-methylvinyl dimethyl phosphate | | 0.1 0.5 0.4 0.2 0.1 | Raw cereals Apples, pears Citrus fruit Other fruit, cole c Tomatoes, lettu cucumbers, wat |
| | | | 0.2 | Other vegetables root vegetables which a toleranc not required) |
| Piperonyl butoxide | 5-[2-(2-butoxyethoxy)ethoxy-methyl]-6-propyl-1,3-benzodioxole | | 20 8 | Raw cereals Fresh fruit and vegetables, drie and vegetables, seeds, treenuts |
| Pyrethrins | 4 hydroxy-3-methyl 2-(2,4-pentadienyl)-2-cyclopenten-1-one-2,2-dimethyl-3(2-& methyl-propenyl)cy clopropane-carboxylate and 4-hydroxy-3-methyl-2-(2,4-pentadienyl)-2-cyclopenten-1-one 1-methyl 3-carboxy-a,2,2-trimethylcyclopropane-acrylate ester | | 1.0 3.0 1.0 | Dried cod fish Raw cereals Fresh fruit and vegetables, drie and vegetables, treenuts |
| Quinomethionate | 6-methyl-2-oxo-1,3-dithiolo (4,5-b)-quinoxaline | Morestan | 0.1 6 4.0 3.0 1.5 | Dried cod fish Strawberries Apricots, peache Cherries Apples, honeyde melons, musk n cantaloupes, pe summer squash |
| | | | 1.0 0.75 | Plums (fresh prui Cucumbers, wat winter squash |
| Quintozene | Pentachloronitrobenzene | | 10 5 1.0 0.3 | Mushrooms Peanuts (whole) Bananas (whole) Lettuce, peanuts (kernels) |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|---------------------------------|---------------|--------------------------------------|----------------------------|-----------------------------------------------------------------|
| Quintozene- <i>continued</i> | | | 0.2 0.1 0.03 0.02 | Beans (navy), po Tomatoes Cottonseed Bananas (pulp), l |

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The Laws of Zambia

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|----------------------------|-------------------------------------------------------------------------|--------------------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Schradan | bis-NNN'N'-tetramethyl-phosphorodiamidic anhydride | | 0.01 | sprouts, brocco |
| Simazine | | | 0.75 | cabbage, chine: cabbage, caulifl kale, kohlrabi, ti Beans (other tha peppers (bell) English walnuts |
| | 2-chloro-4,6-bis(ethylamino)-1,3,5-triazine | | 10 | Asparagus |
| | | | 0.5 | Artichokes |
| | | | 0.25 | Almonds, apples cherries, fresh c including sweet (kernels plus cc husks removed, cranberries, cur dewberries, filbe grapefruit, grap lemons, loganb macadamia nut oranges, peach plums, raspberr strawberries, wa |
| | | | 0.02 | Eggs, milk, meat and meat by-pr of cattle, goats, horses, poultry |
| Sodium orthophenyl phenate | O-phenyl phenol, sodium salt | | 125 | Cantaloupes |
| | | | 25 | Apples, pears |
| | | | 20 | Carrots, peaches |
| | | | 15 | Sweet potatoes |
| | | | 10 | Citrus fruits, cuct peppers (bell), pineapples, tom |
| | | | 5 | Cherries, nectarin |
| Sutan | S-ethyl-NN-di-iso butylthiolcarbamate | | 0.1 | Maize |
| Tecnazene | 1,2,4,5-tetrachloro-3-nitrobenzene | Fusarex | 25 | Potatoes |
| Tetrachlorvinphos | Cisisomer of 2-chloro-1-(2,4,5-trichlorophenyl)vinyl dimethyl phosphate | Gardona | 10 | Apples, sweet cc (kernels plus cc husks removed, grain |
| | | | 8 | Sorghum |
| | | | 0.75 | Fat of meat of pc |
| | | | 0.1 | Eggs, meat and i products of pou |
| | | | 100 | Peppermint, spe: |
| | | | 30 | Fresh hops |
| | | | 10 | Figs |
| | | | 5 | Apples, apricots, crabapples, che grapes, nectarin peaches, pears prunes, quinces strawberries |
| | | | 2.0 | Citrus fruits |
| | | | 1.0 | Cucumbers, mel pumpkins, tome |
| Tetradifon | 2,4,4',5-tetrachlorodophenyl Sulphone | | | |

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The Laws of Zambia

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-------------|--------------------------------------------|--------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| TDE | 1,1-dichloro-2,2-di-(4 chlorophenyl)ethane | | 7 | winter squash Apples, apricots, blueberries, cuc eggplants, grap melons, nectari peaches, pears pumpkins, quinc squash, summe tomatoes |
| | | | 3.5 | Blackberries, boy cherries, citrus dewberries, log plums (fresh pr raspberries, strawberries, sv corn (kernels pl with husks rem |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|--------------------------|----------------------------------------------------------|--------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TDE- <i>continued</i> | | | 1.0 | Broccoli, Brussel sprouts, cabbag carrots, cauliflo kohlrabi, lettuce rutabagas, spin turnips |
| Tetrasul | 4-chlorophenyl 2,4,5-trichlorophenyl sulphide | | 0.1 | Apples |
| Thiabendazole | 2-4(4'-thiazolyl)benzimidazole | Tector | 6 | Citrus fruit |
| | | | 3.0 | Bananas |
| | | | 0.4 | Bananas (pulp) |
| Thiram | Bis(dimethylthiocarbamoyl) disulphide | | 7 | Apples, celery, p strawberries, to |
| | | | 1.0 | Bananas (edible |
| | | | 0.5 | Onions (dry bulb) |
| Toxaphene | Chlorinated camphene having a chlorine content of 67-69% | | 7 | Apples, apricots, blackberries, boysenberries, l Brussels sprout cabbage, carrot cauliflower, cele citrus fruit, colla maize, cranberr cucumbers, dev eggplants, fat o from cattle, goa horses and she hazelnuts, hick horseradish, ka kohlrabi, lettuce loganberries, ne okra, onions, pe peaches, peanu peas, pecans, p pimentos, quinc |

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The Laws of Zambia

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|----------------------------|-------------------------------------------------------------|--------------------------------------|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Tricyclohexyltin hydroxide | Tricyclohexyltin hydroxide | | 5 | radishes, rasp rutabagas, spin strawberries, to walnuts, young |
| Trifluralin | 2,6-dinitro-NN-dipropyl-4-trifluoromethylamine | Treflan | 2.0 2.0 | Barley, oats, rice sorghum grain, Soyabeans (dry) Apples, pears |
| Trizone | Methylbromide with added chloropierin and propargyl bromide | | 1.0 0.5 | Carrots Citrus fruits, cott cucurbits, fruit vegetables, gra hops, leafy veg nuts, peanuts, r vegetables (exc safflower seed, vegetables, sto cane, sunflower grain |
| Zineb | Zinc ethylene-1,2-bisdithiocarbamate | Dithane Z-78 | 25 40 60 60 25 | Broccoli, cauliflo peppers, pineap strawberries Muskmelons, ton Eggplants Hops Chinese cabbage endive, kale, let mustard greens spinach, swiss Apples, apricots, beets, blackber boysenberries, l Brussels sprout carrots, cauliflo cherries, citrus cranberries, cuc currants, dewbe gooseberries, g guavas, kohlrak loganberries, m mushrooms, ne onions, parsley, peanuts, pears, peppers, plums |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-----------------|---------------|--------------------------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------|
| Zineb-continued | | | | prunes), pumpk radishes, raspb rutabagas, sals strawberries, summer squash tomatoes, turni youngberries |



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| Common name | Chemical name | Trade name, if any, in use in Zambia | Tolerance* p.p.m. | |
|-------------|----------------------------------|--------------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ziram | Zinc dimethyldithiocarbamate | | 1.0 7 | Wheat Apples, apricots, beets, blackberries, boysenberries, Brussels sprout cabbage, carrot cauliflower, cherries, collards, cranberries, cucumbers, dewberries, egg gooseberries, kale, kohlrabi, loganberries, nectarines, peaches, peanuts, peppers, pumpkins, radishes, raspberries, rutabagas, squash, strawberries, summer squash, tomatoes, turnips, youngberries |
| 2,4-D | (2,4-dichlorophenoxy)acetic acid | | 0.1 0.2 | Almonds Barley, oats, rye, wheat |

*Also includes practical residue limits occurring in foods not necessarily due to application to protect food against pest attack.

SECTION 23-THE FOOD AND DRUGS (FOOD IN AIRTIGHT CONTAINERS) REGULATIONS

Statutory Instrument
41 of 1992

Regulations by the Minister

1. These Regulations may be cited as the Food and Drugs (Food in Air tight Containers) Regulations, and shall come into operation on the 7th day of February, 1992. Title and commencement

2. No person shall sell or shall prepare, keep, transmit or expose for sale, without reasonable excuse, any articles of food which is packed in an airtight receptacle if such receptacle: Sale of food packed in airtight receptacles

(a) is blown to such a degree that:

(i) there is bulging of the flat or concave sides or ends; or



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The Laws of Zambia

- (ii) gas escapes from it on puncturing; or
- (b) is extensively rusted; or
- (c) is damaged so that it is not airtight; or
- (d) shows evidence of having been punctured and the puncture is re-sealed.

SECTION 23-THE FOOD AND DRUGS (TARIFF OF FEES)
REGULATIONS

Statutory Instrument
87 of 1992
Act No.
13 of 1994

Regulations by the Minister

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 1. These Regulations may be cited as the Food and Drugs (Tariff of Fees) Regulations. | Title |
| 2. There shall be paid, the tariff of fees set out in the Schedule for the analysis, examination and certification of food, drugs and cosmetics conducted by the Public Analyst. | Fees and Charges |
| 3. Without prejudice to the generality of regulation 2, such tariff of fees shall not be paid for samples submitted by authorised officers. | Exemptions |

SCHEDULE



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(Regulation 2)

| | Fee units |
|-----------------------------------------------------|-----------|
| 1. Chemical Analysis: | |
| Specific gravity | 26 |
| Total Soluble Solids (by Refractometer) | 20 |
| Moisture | 20 |
| Fat (by Gerber Method) | 26 |
| Fat (by Wener-Schmid or Rose-gottiel) | 36 |
| Crude Protein | 40 |
| Carbohydrates (by difference) | 16 |
| Acidity | 14 |
| Total Sugars | 20 |
| Reducing Sugars | 38 |
| Starch | 28 |
| Preservatives: | |
| (i) Benzoic Acid | 26 |
| (ii) Others | 36 |
| Identification of food colours | 26 |
| Total volatile Nitrogen | 32 |
| Vitamins | 52 |
| Additives in foods | 60 |
| Crude fibre | 32 |
| Gluten | 26 |
| Physical examination of foods (including labelling) | 14 |
| Organoleptic test | 66 |
| 2. Complete Chemical Analysis of: | |
| (a) Alcoholic drinks- | |
| (i) Beer | 52 |
| (ii) Wines and Spirits | 108 |
| (b) Milk Products: | |
| (i) Liquid milk | 36 |
| (ii) Dried and condensed milk | 44 |
| (iii) Fermented milk products | 32 |
| (iv) Ice Cream | 44 |
| (v) Cheese/butter/margarine | 60 |
| (c) Fats and Oils | 76 |
| (d) Fruits, Vegetables and their products: | |
| (i) Jams and marmalades | 38 |
| (ii) Ketchups, puree and sauces | 52 |
| (iii) Fresh produce | 32 |
| (e) Grain and Bakery products: | |
| (i) Physical examination | 20 |
| (ii) Grain meal flour | 52 |
| (iii) Wheat flour | 52 |
| (iv) Baked products | 38 |
| (f) Meat and Meat products: | |
| (i) Prepared/processed/cured meats | 44 |
| (ii) Unprocessed meats | 66 |
| (g) Soft Drinks: | |
| (i) Carbonated | 36 |
| (ii) Uncarbonated (juices, cordials and syrups) | 40 |

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Unlocking Zambia's Potential

Health Professions

[No. 24 of 2009 349

THE HEALTH PROFESSIONS ACT, 2009

ARRANGEMENT OF SECTIONS

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2. Interpretation

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3. Continuation and renaming of Medical Council of Zambia
4. Functions of Council
5. Registrar

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REGISTRATION OF HEALTH PRACTITIONERS

6. Prohibition of practising without registration
7. Application for registration
8. Registration of health practitioners
9. Provisional registration
10. Temporary registration
11. Registration for limited period
12. Specialist registration
13. Changes in detail
14. Cancellation of registration
15. Prohibition of practise without practising certificate
16. Application for practising certificate
17. Display of practising certificate
18. Renewal of practising certificate
19. Cancellation of practising certificate
20. Regulations relating to practising certificate
21. Conditions of certificate
22. Prohibition of transfer of certificate
23. Removal and restoration of name on register
24. Re-registration
25. Duplicate certificate of registration
26. Certificate of status
27. Register
28. Publication of copies of Register
29. Appeals
30. Holding out as health practitioner
31. Offences regarding health practitioners

*Single copies of this Act may be obtained from the Government Printer,
P.O. Box 30136, 10101 Lusaka. Price K23,000 each*



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Health Professions

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Second Schedule



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GOVERNMENT OF ZAMBIA

ACT

No. 24 of 2009

Date of Assent: 28th August, 2009

An Act to continue the existence of the Medical Council of Zambia and rename it as the Health Professions Council of Zambia; provide for the registration of health practitioners and regulate their professional conduct; provide for the licensing of health facilities and the accreditation of health care services provided by health facilities; provide for the recognition and approval of training programmes for health practitioners; repeal the Medical and Allied Professions Act, 1977; and provide for matters connected with or incidental to the foregoing.

[31st August, 2009

ENACTED by the Parliament of Zambia.

Enactment

PART I

PRELIMINARY

1. This Act may be cited as the Health Professions Act, 2009, and shall come into operation on such date as the Minister may, by statutory instrument, appoint.

Short title
and
commencement

2. (1) In this Act, unless the context otherwise requires —

Interpretation

“accreditation” means the approval granted by the Council to a licensed health facility to provide one or more medical services relating to the preventive, diagnostic or treatment techniques of a particular disease or organ class;

“appointed date” means such date as the Minister may appoint under section *one*;



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- "certificate of registration" means the certificate issued under section *eight*;
- "Chairperson" means the person appointed as Chairperson under paragraph 1 of the First Schedule;
- "Code of Ethics" means the code of professional conduct adopted and published by the Council;
- "consulting room" means a room used by a health practitioner for consulting and diagnosis;
- "Council" means the Health Professions Council of Zambia continued under section *three*;
- "diagnostic centre" means a laboratory or radiological service, or any other related service;
- "Disciplinary Committee" means the Committee constituted under section *sixty-three*;
- "former Council" means the Medical Council of Zambia established under the repealed Act;
- "health care service" means a service provided by a health practitioner or health facility for the prevention, treatment and management of illness and the preservation of mental and physical well being;
- "health facility" means any site, fixed or mobile, providing services for the prevention, diagnosis and treatment of disease or illness and includes a diagnostic centre, a hospice and a hospital;
- "health practitioner" means a person registered as a health practitioner under section *eight*;
- "health profession" means a profession whose member is required to register under section *eight* and "health professional" shall be construed accordingly;
- "hospice" means a place where a person who is terminally ill receives medical, nursing, nutritional, psychological and spiritual care;
- "hospital" means a health institution providing in-patient health care under the supervision of a medical doctor, which includes one or more of the following health services:



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- (a) medicine;
- (b) surgery;
- (c) obstetrics and gynaecology; or
- (d) paediatrics;

“inspector” means a person appointed as an inspector under section *forty-seven*;

“organ class” means parts of the human body with similar or related anatomical functions and includes the endocrine system, cardiovascular system or nervous system;

“peer” means a member of the same health profession with similar specialisation, if any, and an equivalent number of years of medical practise;

“practising certificate” means a certificate issued to a health practitioner under section *sixteen*;

“professional misconduct” has the meaning assigned to it under section *sixty-one*;

“provisional certificate of registration” means the registration effected under section *nine*;

“quality assurance information” means data from a medical record showing the nature of diagnosis and treatment given to a patient, without identifying the patient;

“Register” means the Register referred to under section *twenty-seven*;

Cap. 297

“Registrar” means the person appointed as Registrar under section *five*;

“repealed Act” means the Medical and Allied Professions Act, 1977;

“scope of practise” means the range of knowledge expected of a particular health profession, and the preventive, diagnostic and treatment techniques which a health practitioner is allowed to perform, and the conditions under which the health practitioner may engage in those techniques;

“speciality” means a special field of work or study that a health practitioner specialises in or intends to specialise in;

“specialist” means a person registered as a specialist under section *twelve*;



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“temporary certificate of registration” means the registration effected under section *ten*; and

“Vice-Chairperson” means the person appointed as Vice-Chairperson under paragraph 1 of the First Schedule.

(2) In this Act, any reference to the removal from, or the restoration to, the Register of the name of a health practitioner, shall be construed as including a reference to the removal from, or the restoration to, the Register of any other registrable particulars relating to that health practitioner.

PART II

THE HEALTH PROFESSIONS COUNCIL OF ZAMBIA

Continuation
and renaming of
Medical
Council of
Zambia Cap.
297

3. (1) The Medical Council of Zambia established under the repealed Act shall continue to exist as if established under this Act and is for purposes of this Act hereby renamed the Health Professions Council of Zambia.

(2) The Council shall be a body corporate with perpetual succession and a common seal, capable of suing and being sued in its corporate name and shall, subject to the provisions of this Act, have power to do all such acts and things as a body corporate may, by law, do or perform.

(3) The provisions of the First Schedule apply to the Council.

Functions of
Council

4. (1) The functions of the Council are to—

(a) register members of the health profession and regulate the professional conduct of health practitioners;

(b) maintain appropriate practise standards among health practitioners that are consistent with the principle of self-regulation and the promotion of high standards of public health;

(c) develop, promote, maintain and improve appropriate standards of qualification in the health profession;

(d) promote the integrity, and enhance the status, of the health profession including the declaration of any particular health practise to be undesirable for all, or a particular category of, health practitioners;

(e) licence public and private health facilities, accredit health services and monitor quality control and assurance of health facilities and services;

(f) represent, coordinate and develop the health profession and promote its interest;

(g) develop, promote and enforce internationally comparable practise standards in Zambia;

(h) investigate allegations of professional misconduct and impose such sanctions as may be necessary;

(i) protect and assist the public in all matters relating to the practise of the health profession;



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Unlocking Zambia's Potential

Health Professions

[No. 24 of 2009 357]

- (j) advise the Minister on matters relating to the health profession; and
- (k) do all such things as are necessary or incidental to the performance of its functions under this Act.

(2) The Council may —

- (a) determine and levy fees that the Council considers necessary to finance its activities under this Act;
- (b) determine the fees payable for an inspection conducted for the purposes of this Act;
- (c) determine fees for the accreditation of local and foreign training institutions and qualifications; and
- (d) determine what portion of any fee is payable in respect of any part of a year and the date on which the fee or portion thereof is payable.

5. (1) The Council shall appoint a Registrar, who shall be the Chief Executive Officer, on such terms and conditions as the Council may determine.

Registrar

(2) The Registrar shall be the Secretary to the Council and shall be responsible for the day to day administration of the affairs of the Council, under the supervision of the Council.

(3) The Council may, whenever the Registrar is absent or is for any other reason unable to discharge the functions of the Registrar's office, appoint an acting Registrar to discharge the Registrar's functions.

(4) The Council shall appoint, on such terms and conditions as the Council may determine, such other staff as may be necessary for the purposes of this Act.

PART III

REGISTRATION OF HEALTH PRACTITIONERS

6. (1) A person shall not practise as a health practitioner, unless that person is registered as a health practitioner in accordance with this Act.

Prohibition of practising without registration

(2) A person who contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a period not exceeding five years, or to both.

7. (1) A person who wishes to be registered as a health practitioner, shall apply to the Council for registration in the prescribed manner and form upon payment of the prescribed fee.

Application for registration

(2) The Council may determine different fees for different categories or classes of health practitioners.

(3) The Council shall, within thirty days of receipt of an



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application under subsection (1), grant or reject the application.

(4) The Council shall, where it rejects an application under subsection (3), inform the applicant accordingly and give the reasons therefor.

Registration
of health
practitioners

8. (1) The Council shall, where an application meets the requirements of this Act, register the applicant as a health practitioner and issue the applicant with a certificate of registration.

(2) The Council shall register a health practitioner as —

- (a) a medical doctor;
- (b) a medical licentiate;
- (c) a clinical officer;
- (d) an emergency care officer;
- (e) a dental surgeon;
- (f) a dental technologist;
- (g) a dental therapist;
- (h) an oral hygienist;
- (i) a pharmacist;
- (j) a pharmacy technologist;
- (k) a radiographer;
- (l) an X-ray assistant;
- (m) a biomedical scientific officer;
- (n) a medical laboratory technologist;
- (o) a medical laboratory technician;
- (p) a physiotherapist;
- (q) an osteopath;
- (r) an orthopaedic technologist;
- (s) an occupational therapist;
- (t) a clinical psychologist;
- (u) a medical sociologist;
- (v) a medical social worker;
- (w) a nutritionist and dietician;
- (x) an audiometrist;
- (y) an optician, optometrist and dispensing optician;
- (z) an environmental health officer;
- (aa) an environmental health technologist; or
- (ab) any other health profession as the Minister may prescribe.

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on the recommendation of the Council.

(3) A holder of a provisional certificate of registration or a temporary certificate of registration may apply to the Council for a certificate of registration in the prescribed manner and form upon payment of the prescribed fee.

(4) The Council shall, within thirty days of receipt of an application under subsection (3), grant or reject the application.

(5) The Council shall, where it rejects an application under subsection (4), inform the applicant accordingly and give the reasons therefor.

(6) Subject to the provisions of this Act, the Council shall issue a certificate of registration under this section—

(a) to a holder of a provisional certificate of registration, if the holder—

- (i) has practised in a health facility approved by the Council for a period of not less than twelve months;
- (ii) is of good character and good professional standing; and
- (iii) meets such other requirements as may be prescribed; and

(b) to a holder of a temporary certificate of registration, if the holder—

- (i) has completed at least twelve months of continuous employment in a health facility that holds a class A or class B licence under section *thirty-eight*; and
- (ii) submits a letter from the person's supervisor at the health facility referred to under subparagraph (i), stating that the person has performed satisfactorily and displayed skills and knowledge equivalent to those of health practitioners trained in Zambia.

(7) The Minister may, by statutory instrument, on the recommendation of the Council, prescribe—

- (a) the qualifications for registration of a person as a health practitioner; and
- (b) the scope of practise for health practitioners registered under this Act.



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Provisional
registration

9. (1) A person who holds a qualification from a training institution recognised by the Council, or a holder of a temporary certificate of registration, may apply for provisional registration in the prescribed manner and form upon payment of the prescribed fee.

(2) Subject to the provisions of this Act, the Council shall, where a person makes an application under subsection (1), issue the person with a provisional certificate of registration if—

(a) the person meets the requirements for provisional registration; and

(b) the Council determines that the training previously received by the person is equivalent to that required for provisional registration.

(3) The Council shall, where it rejects an application for provisional registration, inform the applicant accordingly and give the reasons therefor.

(4) A person holding a provisional certificate of registration may engage in employment as a health practitioner in Zambia.

(5) The Council shall not issue a person with a provisional certificate of registration for a period exceeding two years.

(6) The Minister may, by statutory instrument, on the recommendation of the Council, make regulations to regulate the scope of practise of holders of provisional certificates of registration.

Temporary
registration

10. (1) Subject to the provisions of this Act, a person who is trained outside Zambia and is not a holder of a qualification recognised by the Council, may apply for temporary registration.

(2) The Council shall, upon receipt of an application made under subsection (1), issue the applicant with a temporary certificate of registration if the applicant—

(a) possesses such knowledge and training as may be prescribed;

(b) has passed the prescribed assessment examination conducted by the relevant training institution in Zambia, recognised by the Council;

(c) provides a certificate of good standing from the professional registration body in the country where the person is currently practising;



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(d) proves that the person is sufficiently knowledgeable in the English language; and

(e) shall serve in Zambia at the request of the Zambian Government or a health facility licenced under this Act.

(3) The Council shall not issue a person with a temporary certificate of registration for a period exceeding two years.

(4) The Council shall, where it rejects an application for temporary registration, inform the applicant accordingly and give the reasons therefor.

11. (1) The Council may, at the request of a health facility licensed under this Act, register a health practitioner, qualified in another country, to provide health care in Zambia for a limited period of time, at the health facility.

Registration for limited period

(2) The Council shall register a health practitioner for a limited period if the health practitioner holds equivalent registration in the health practitioner's country of origin and the health practitioner is in good standing with the relevant professional body in the health practitioner's country.

(3) The Council may specify the terms and conditions to which the registration under this section is subject, including the acts to be performed, or the nature of supervision required, by the health practitioner.

(4) The Council shall register a health practitioner under this section for a specified period of time not exceeding six months.

(5) The Council may, on the application of a health facility, renew the registration of a health practitioner under this section on such terms and conditions as the Council may determine.

12. (1) A health practitioner who wishes to be registered as a specialist shall apply to the Registrar for registration, in the prescribed manner and form upon payment of the prescribed fee.

Specialist registration

(2) The Registrar shall register a health practitioner as a specialist, if the health practitioner holds a post-graduate qualification approved by the Council.

13. A person registered under this Act, shall notify the Registrar of any change of that person's particulars relating to the registration, within seven days of the change.

Changes in detail



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Cancellation
of registration

14. (1) The Council shall cancel the registration of a health practitioner where—

- (a) the Council has reasonable grounds to believe that the registration was obtained through fraud, misrepresentation or concealment of any material fact;
- (b) the health practitioner is found guilty of professional misconduct under this Act or the Code of Ethics;
- (c) the health practitioner has ceased to be employed by, or to practise at, a health facility for which the registration was obtained;
- (d) the period for which the registration of the health practitioner was issued has lapsed;
- (e) the health practitioner is convicted of an offence under any law; or
- (f) since the registration, circumstances have arisen disqualifying the health practitioner from registration.

(2) The Council shall, before cancelling the registration of a health practitioner under subsection (1), give the health practitioner an opportunity to be heard.

(3) The Council may, before cancelling the registration of a health practitioner, suspend the health practitioner for such period and on such terms and conditions as the Council may determine.

(4) Where the Council cancels the registration of a person under this section, the person's name shall be removed from the Register and shall not be restored except on such conditions as may be prescribed by the Council and upon payment of the prescribed fee.

Prohibition
of practise
without
practising
certificate

15. (1) A person shall not practise as a health practitioner, unless that person holds a practising certificate issued by the Council under this Act.

(2) A person who contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding nine hundred thousand penalty units or to imprisonment for a period not less than ten years and not exceeding twenty years, or to both.

Application
for
practising
certificate

16. (1) A health practitioner shall apply for a practising certificate in the prescribed manner and form upon payment of the prescribed fee.



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(2) The Registrar shall, upon receipt of an application under subsection (1) and where the application meets such requirements as may be prescribed, issue the health practitioner with a practising certificate.

17. A holder of a practising certificate shall display the practising certificate in a conspicuous place at the place of practise.

Display of
practising
certificate

18. (1) A practising certificate shall be renewed annually in the prescribed manner and form upon payment of the prescribed fee.

Renewal of
practising
certificate

(2) A practising certificate that is not renewed in accordance with subsection (1) is void.

(3) A health practitioner who practises during any period in which the health practitioner's practising certificate is void commits an offence and is liable, upon conviction, to a fine not exceeding seven hundred thousand penalty units or to imprisonment for a period not exceeding seven years, or to both.

19. (1) The Council shall cancel a practising certificate if the holder—

Cancellation
of practising
certificate

(a) is found guilty of any professional misconduct;

(b) is declared to be of unsound mind;

(c) is an undischarged bankrupt;

(d) contravenes the provisions of the Public Health Act or any other relevant law;

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(e) is a proprietor, or in charge of, a health facility which is closed or whose licence is cancelled under this Act;

(f) obtained the practising certificate through fraud, misrepresentation or concealment of a material fact; or

(g) commits an offence under this Act or contravenes the Code of Ethics.

(2) Where the registration of a health practitioner is cancelled under this Act, the practising certificate held by the health practitioner shall be void and shall be surrendered to the Council.

(3) The Council shall, before cancelling the practising certificate of a health practitioner under this section, give the health practitioner an opportunity to be heard.



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- (4) The Council may, before cancelling the practising certificate of a health practitioner, suspend the health practitioner for such period and on such terms and conditions as the Council may determine.
- Regulations relating to practising certificates
20. The Minister may, by statutory instrument, on the recommendation of the Council, make regulations to provide for -
- (a) the terms and conditions for the issuance of practising certificates;
 - (b) the type of continuing professional development and training and any other information required for the issuance of a practising certificate; and
 - (c) any other matter necessary for purposes of this Act.
- Conditions of certificate
21. A certificate issued under this Part shall contain such terms and conditions of the certificate as the Council may determine.
- Prohibition of transfer of certificate
22. A certificate issued under this Part shall not be transferred to a third party.
- Removal and restoration of name on Register
23. (1) The Minister may, on the recommendation of the Council, make regulations prescribing the circumstances and manner in which a health practitioner -
- (a) may be removed from the Register; and
 - (b) who is removed from the Register, may be restored on the Register and the fee to be paid for the restoration.
- (2) Subject to subsection (1), a health practitioner who is removed from the Register ceases to be a registered health practitioner.
- (3) The Council may, where a health practitioner informs the Registrar that the health practitioner does not intend to practise for a specified period of time, maintain the name of the health practitioner on the Register, in a non-practising category, for that period of time.
- Re-registration
24. Where the registration of a health practitioner has been cancelled or suspended, the health practitioner affected may, subject to such terms and conditions as the Council may determine, apply for re-registration.



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25. (1) A person whose certificate of registration is destroyed or lost may apply to the Registrar for a duplicate certificate in the prescribed manner and form upon payment of the prescribed fee.

Duplicate
certificate of
registration

(2) The Registrar may, upon receipt of an application under subsection (1), issue a duplicate certificate of registration to the applicant.

26. (1) A person may apply to the Registrar for a certificate of status, containing particulars relating to a health practitioner's registration, in the prescribed manner and form and upon payment of the prescribed fee.

Certificate of
status

(2) Upon receipt of an application under subsection (1), the Registrar may issue a certificate of status to the applicant in the prescribed form.

27. (1) The Registrar shall keep and maintain a Register of all health practitioners registered under this Act in which the Registrar shall enter the details and particulars relating to-

Register

(a) fully registered health practitioners;

(b) the holders of—

(i) practising certificates;

(ii) provisional certificates of registration; and

(iii) temporary certificates of registration;

(c) persons registered for a limited period;

(d) person registered as specialists;

(e) the applications rejected and the reasons therefor; and

(f) any other information as the Council may determine.

(2) The Register shall be kept in the custody of the Registrar at the offices of the Council, and shall be open for inspection by members of the public during normal office hours upon payment of such fee as the Council may determine.

(3) The Registrar may, upon application by any person, issue to the person a certified extract from the Register, or a copy of a certificate of registration, upon payment of such fee as the Council may determine.

28. (1) The Registrar shall, on the direction of the Council, cause copies of the Register and any alterations thereof, or additions thereto, to be printed and published in such manner and form as the Council may direct.

Publication
of copies of
Register



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(2) Subject to this Act, a copy of the last published and printed Register shall be evidence admissible in all legal proceedings of what is contained in that Register and the absence of the name of a health practitioner from that copy, shall be *prima facie* evidence that the health practitioner is not registered.

Appeals

29. (1) A person aggrieved with a decision of the Council may, within thirty days of receiving the decision, appeal to the Minister.

(2) A person aggrieved with a decision of the Minister may, within thirty days of receiving the decision, appeal to the High Court.

Holding out as health practitioner

30. (1) A person shall not, unless the person is registered as a health practitioner under this Act--

(a) practise as, be employed as, offer health care services as, be engaged as an agent of, or hold out to be, a health practitioner;

(b) adopt, use or exhibit the term "health practitioner" or any other term of like description; or

(c) do anything likely to lead persons to infer that the person is a registered health practitioner.

(2) A person or health facility shall not employ a person who is not registered under this Act as a health practitioner.

(3) A person who contravenes subsection (1) or (2) commits an offence and is liable, upon conviction, to a fine not exceeding seven hundred thousand penalty units or to imprisonment for a period not exceeding seven years, or to both.

(4) A health practitioner who permits that health practitioner's name to be used by a person who is not a registered health practitioner commits an offence and is liable, upon conviction, to a fine not exceeding seven hundred thousand penalty units or to imprisonment for a period not exceeding seven years, or to both.

(5) Nothing in this section shall prevent a trainee, undergoing training for the purpose of qualification for registration as a health practitioner, from employment or performance of health care services under the direct supervision of a registered health practitioner in accordance with such guidelines for training programmes as the Council may determine.



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31. (1) A person shall not —

- (a) make or cause to be made an unauthorised entry, alteration or erasure in the Register or a certified copy of an entry in the Register or a certificate of registration or other certificate issued under this Act;
- (b) impersonate or use the title of a registered health practitioner while not registered as such under this Act;
- (c) procure, or attempt to procure, registration under this Act, by fraud, false representation or the concealment of a material fact;
- (d) forge a certificate of registration or other certificate issued under this Act;
- or
- (e) undertake to provide health care services in excess of the scope of practise permitted for the registered health profession.

Offences regarding registered health practitioners

(2) A person who contravenes subsection (1), commits an offence and is liable, upon conviction, to a fine not exceeding seven hundred thousand penalty units or to imprisonment for a period not exceeding seven years, or to both.

PART IV

TRAINING OF HEALTH PROFESSIONALS

32. (1) A training institution shall not provide, or hold out as providing, training to prepare students for a health profession, unless the training programme is approved by the Council.

Prohibition of provision of unauthorised training programme

(2) A training institution that contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding five hundred thousand penalty units, and to a fine of forty thousand penalty units for each day during which the offence continues.

33. (1) A training institution that intends to offer training in a health profession shall apply to the Council for approval of the training programme in the prescribed manner and form upon payment of the prescribed fee.

Application for approval of training programme

(2) The Council may, after review of a proposed training programme, approve the training programme if the training programme meets the requirements of this Act and if the training programme shall adequately prepare students for service in a particular health profession.



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(3) The Council may accept the successful completion of a training programme approved under subsection (2), as meeting some or all of the requirements for provisional registration in a particular health profession.

(4) The Council shall not, where a training institution uses a training programme in the training of a health profession which is not approved under this section, accept the training as meeting the training requirements for registration in that health profession.

Review of approved training programme

34. (1) The Council shall, at least every five years from the date of the approval of a training programme under section *thirty-three*, review the approved training programme, including the performance of the graduates of the programme.

(2) The Council shall withdraw the approval of a training programme, where it determines that —

(a) the training programme no longer meets the requirements of this Act; or

(b) the graduates of the training programme consistently fail to meet the standards required by their health profession.

Continuing professional development and training

35. (1) The Minister may, by statutory instrument, on the recommendation of the Council, make regulations to provide for continuing professional development and training to be undertaken by health practitioners.

(2) Notwithstanding the generality of subsection (1), the regulations may provide for—

(a) the nature and extent of continuing professional development and training to be undertaken by health practitioners;

(b) the criteria for recognition by the Council of continuing professional development, training programmes and training institutions for purposes of this Act;

(c) the minimum professional and technical training to be provided by a training institution to a health practitioner who is to be registered in a health profession; and

(d) the requisite infrastructure of training institutions, appropriate educational and training curricula, qualifications of faculty personnel, suitable training equipment and staffing levels of medical and other personnel.



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PART V

LICENSING OF HEALTH FACILITIES

36 (1) A person shall not operate a health facility without a licence issued in accordance with the provisions of this Part.

Prohibition of operating health facility without licence

(2) A person who contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a term not exceeding five years, or to both.

37. A person who intends to operate a health facility shall apply to the Council for a licence in the prescribed manner and form upon payment of the prescribed fee.

Application for licence to operate health facility
 Issue of licence

38. (1) The Council shall, where a health facility meets the requirements of this Act, issue the applicant with a licence according to the following classes:

(a) class A, for a health facility to provide in-patient care for acutely ill persons requiring regular monitoring and intervention by a medical doctor, including a hospital and a hospice to provide palliative care for the terminally ill:

Provided that the health care in the facility shall be supervised by a medical doctor;

(b) class B, for a health facility to provide diagnostic service, prevention and treatment of disease and illness on an out-patient basis and to incorporate the services of multiple registered health practitioners and the use of equipment for diagnosis and treatment, including medical laboratories;

(c) class C, for a health facility to provide diagnostic service, prevention and treatment of diseases and to perform physical examinations using simple equipment and taking specimens for laboratory analysis, but not including a facility to employ multiple registered health practitioners and to use extensive diagnostic equipment or invasive procedures;

(d) class D, for a health facility to provide diagnostic service in any place other than a hospital;

(e) class E, for a health facility to provide physiotherapy, occupational and hydrotherapy services in any place other than a hospital; or



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(f) any other class as the Minister may prescribe, by statutory instrument, on the recommendation of the Council.

(2) The Council may prescribe different fees for different classes of licences.

(3) A licence issued under subsection (1), shall be renewed annually in the prescribed manner and form and upon payment of the prescribed fee.

(4) A licence shall be issued on such terms and conditions as the Minister may, by statutory instrument, on the recommendation of the Council, prescribe.

(5) The Minister may, by statutory instrument, on the recommendation of the Council, prescribe the requirements for each class of licence and may designate multiple levels with different requirements within each class.

Refusal to
issue
licence

39. (1) The Council shall reject an application for a licence to operate a health facility if —

(a) the proprietor or person in charge of the health facility is in violation of a provision of this Act;

(b) the health practitioner in charge of the facility is not registered and is not in possession of a valid practising certificate;

(c) the health facility does not meet the physical, staffing, equipment or organisational requirements for the licence; or

(d) the health practitioner to be in charge of the health facility has not held a certificate of registration for a period of at least three years before the date of the application, unless the Council determines that the health practitioner is properly registered and has the relevant experience in another country equivalent to that acquired after three or more years of full registration in Zambia.

(2) The Council shall, where it rejects an application under subsection (1), inform the applicant accordingly and give the reasons therefor.

Display of
licence

40. A licensed health facility shall display a copy of the licence in a prominent place at the health facility.

Variation of
licence

41. A holder of a licence may, at any time during the validity of the licence, apply to the Council for variation of the terms and conditions of the licence.



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| <p>42. Where a holder of a licence decides not to continue operating the health facility to which the licence relates, the holder shall surrender the licence to the Council.</p> | <p>Surrender of licence</p> |
| <p>43. A licence shall not be transferred to a third party without the prior approval of the Council.</p> | <p>Transfer of licence</p> |
| <p>44. (1) The Council may amend a licence where—</p> <p>(a) some other person has succeeded to the interest in the health facility belonging to the holder of the licence, by substituting the name of the holder with the name of the successor; or</p> <p>(b) the name of the health facility has changed, by substituting the name so changed.</p> | <p>Amendment of licence</p> |
| <p>45. (1) The Council shall renew a licence issued under this Part, if—</p> <p>(a) the health facility remains in full compliance with the rules for health facilities pertaining to the health facility's licence class under section <i>thirty-eight</i>;</p> <p>(b) the facility provides information as the Council may require as a condition of licence renewal; and</p> <p>(c) the proprietor or person in charge of the health facility pays an annual fee as may be prescribed by the Council.</p> | <p>Renewal of licence</p> |
| <p>46. (1) Subject to the other provisions of this Act, the Council may suspend or cancel a licence if the holder—</p> <p>(a) obtained the licence by fraud or deliberate or negligent submission of false information or statements; or</p> <p>(b) contravenes this Act or any terms and conditions of the licence.</p> <p>(2) The Council shall, before suspending or cancelling a licence in accordance with subsection (1), give written notice to the holder thereof of its intention to suspend or cancel the licence and shall give the reasons for the intended suspension or cancellation and require the holder to show cause, within a period of not more than thirty days, why the licence should not be suspended or cancelled.</p> <p>(3) The Council shall not suspended or cancel a licence under this section if the holder takes remedial measures to the satisfaction of the Council within the period of thirty days referred to in subsection (2).</p> <p>(4) The Council may, if a holder who is notified under subsection (2) fails to show cause to the satisfaction of the Council, or does not take any remedial measures to the satisfaction of the Council, within the time specified in that subsection, suspend or cancel the licence, and issue the holder with an order to that effect.</p> | <p>Suspension or cancellation of licence</p> |



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(5) The Council shall, where it cancels the licence under subsection (4), publish the order of cancellation in a newspaper of daily circulation in Zambia.

(6) The health facility shall, where the proprietor or person in charge of a health facility receives a copy of the order under subsection (4), stop taking new patients and shall close the health facility within fourteen days of receiving the order.

(7) Notwithstanding this section, the Council may, where the Council finds that the continued operation of a health facility presents a clear and present danger of imminent harm to patients, order the closure of the health facility.

Inspection of health facility 47. (1) The Council shall appoint inspectors to ensure compliance with this Act.

(2) The Registrar shall issue an identity card to an inspector, which shall be produced by the inspector when a person requires it to be produced.

(3) A health facility shall be inspected prior to the issuance of a licence and at least every twenty-four months thereafter.

Entry and inspection 48. (1) An inspector may, by authorisation made under the hand of the Registrar, at all reasonable times, enter and inspect premises which are being used, or which the inspector has reasonable cause to believe are being used as a health facility.

(2) An inspector may inspect the practising certificate of a health practitioner working in a health facility and other records required to be kept under this Act.

(3) An inspector may inspect a health facility and equipment in the health facility for compliance with licence regulations made under this Act.

(4) Notwithstanding subsection (1), an inspector shall not inspect a medical record of a patient.

(5) A person who—

(a) delays or obstructs an inspector in the performance of the inspector's functions;

(b) refuses to give an inspector such reasonable assistance as the inspector may require for the purpose of exercising the inspectors powers; or

(c) gives an inspector false or misleading information in answer to an inquiry made by the inspector;

commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a period not exceeding two years, or to both.



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49. An inspector shall furnish the Council with a written report and any other information relating to an inspection, as the Council may direct. Report of inspection

50. (1) The Council may order the closure of a health facility where— Closure of health facility

(a) the health facility is violating licence requirements in a manner that presents danger of imminent harm to patients;

(b) the health facility is not licensed under this Act; or

(c) the health facility contravenes the provisions of this Act or any other law.

(2) The Council shall, where the Council receives an inspection report indicating that a health facility is not in compliance with the requirements of the health facility's licence, or is offering services in excess of those permitted to a licence of the facility's class, give the health facility written notice of the violation.

(3) The health facility shall, where it receives a notice under subsection (2), within fourteen days of receipt of the notice, provide the Registrar with a written plan of correction of the violation, indicating a schedule of dates by which corrective actions shall be taken.

(4) The health facility shall, where the plan of correction submitted under subsection (3) is accepted by the Registrar, meet the schedule contained in the plan.

(5) The Council shall, where the plan of correction is rejected by the Registrar, revoke the health facility's licence and order the closure of the health facility.

51. (1) Subject to subsection (2), a health facility shall not offer or give consultation, treatment or diagnosis, except by, or under, the supervision of a medical doctor or authority of a registered health practitioner. Prohibition of treatment or diagnosis without medical doctor or registered health practitioner

(2) Subsection (1) shall not apply to the administration of first aid or to the continuation of treatment previously prescribed by a medical doctor or a registered health practitioner for a prescribed period.

(3) The Minister may, by statutory instrument, on the recommendation of the Council, prescribe the qualifications and professional experience required of a registered health practitioner who is to supervise the operations of a health facility of a particular licence class.



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Publication
of licensed
health
facilities

52. The Council shall publish annually a list of all licensed health facilities showing their location and licence class, in a daily newspaper of general circulation in Zambia.

Offences
relating to
health
facilities

53. (1) A person who—
(a) contravenes any practise standards, procedures or guidelines for health facilities issued by the Council;
(b) being a holder of a licence under this Part, breaches any terms and conditions of the licence;
(c) performs an act or omits to act, thereby endangering public health or the lives of persons receiving health care services at a health facility;
(d) without a licence, operates a health facility, practises as, or holds out a health facility as, licenced under this Act;
(e) without a licence, uses the terms “clinic”, “surgery”, “health centre”, “consulting room”, “nursing home”, “hospice”, “hospital” or any other similar term;
(f) engages or employs persons who are not qualified or registered under this Act at a licenced health facility; or
(g) contravenes any provisions of this Act or any other law;
commits an offence and is liable, upon conviction, to a fine not exceeding nine hundred thousand penalty units or to imprisonment for a period not less than ten years and not exceeding twenty years, or to both, and to fifty thousand penalty units for each day during which the offence continues.

PART VI

ACCREDITATION OF HEALTH CARE SERVICES

Application
for
accreditation
of health
care service

54. (1) A health facility shall apply for accreditation of a health care service to the Council in the prescribed manner and form upon payment of the prescribed fee.

(2) The Council shall, upon receipt of an application under subsection (1), direct an inspector to inspect the health facility in order to determine whether the health facility meets the requirements for accreditation as may be prescribed.



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55. (1) The Council shall, where a health facility meets the requirements for accreditation, grant full accreditation to the health facility for a period of one year. Grant of accreditation

(2) The Council may, grant provisional accreditation for a period not exceeding one year, where it determines that a health facility demonstrates reasonable progress towards full accreditation, but is not in conformity with accreditation requirements, and the health facility is able to safely provide the accredited service in its current condition.

(3) The Council shall, where the Council grants a health facility full or provisional accreditation, endorse on the licence of the health facility the type of accreditation granted.

(4) The Minister may, on the recommendation of the Council, by statutory instrument, make regulations for the accreditation of health care services which may include requirements for staffing, facilities, equipment, procedures, record keeping, data collection, staff training, and compliance with certain protocols or treatment guidelines.

56. (1) The Council shall not grant accreditation to a health facility, if the granting of the accreditation shall result in waste or inefficiency in the health care system. Refusal to grant accreditation

(2) The Council shall, where the Council rejects an application for accreditation, inform the applicant, in writing, indicating the reasons for the rejection and shall offer the applicant an opportunity to be heard.

(3) A person aggrieved with the decision of the Council under subsection (2) may, within thirty days of receiving the decision, appeal to the Minister.

(4) A person aggrieved with the decision of the Minister under subsection (3) may, within thirty days of receiving the decision, appeal to the High

57. (1) An accreditation granted under section *fifty-five* may be renewed annually. Renewal of accreditation

(2) The Council may require reporting of data, including quality assurance information, as a condition for the renewal of accreditation.

(3) The Council may cause inspections to be carried out to confirm continuing compliance with accreditation requirements to be conducted at the same time as health facility licence inspections, or more frequently if required.



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Revocation of accreditation

58. (1) The Council shall, where a health facility is in violation of accreditation requirements, inform the health facility, in writing, of the Council's intention to revoke the accreditation.

(2) Where the Council intends to revoke an accreditation, the procedures for notification and correction of violations set out under section *fifty* shall apply.

Provision of health care service without accreditation

59. (1) A health facility shall, where a health care service is subject to accreditation, not provide that health care service or hold out as providing that health care service without obtaining accreditation from the Council.

(2) A health facility that contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding five hundred thousand penalty units.

PART VII

DISCIPLINARY COMMITTEE

Code of Ethics

60. The Council shall adopt and publish a Code of Ethics for health practitioners which shall bind all health professions regulated under this Act.

Professional misconduct

61. A health practitioner commits professional misconduct if the health practitioner —

(a) contravenes the provisions of this Act;

(b) unlawfully discloses or uses to the health practitioner's advantage any information acquired in the health practitioner's practise;

(c) engages in conduct that is dishonest, fraudulent or deceitful;

(d) commits an offence under any other law;

(e) engages in any conduct that is prejudicial to the health profession or is likely to bring it into disrepute; or

(f) breaches the Code of Ethics or encourages another health practitioner to breach or disregard the principles of the Code of Ethics.

Initiation of disciplinary action

62. (1) A person may lodge a complaint with the Disciplinary Committee against a health practitioner where the person alleges that the health practitioner has contravened the Code of Ethics or any provision of this Act.

(2) The Council may initiate disciplinary action under this



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section where the Council has reasonable grounds to believe that a health practitioner has contravened the Code of Ethics or any provision of this Act.

(3) A complaint or allegation shall be made to the Registrar in the prescribed manner and form.

63. (1) The Council shall establish a Disciplinary Committee which shall comprise the following members: Disciplinary Committee

(a) a Chairperson;

(b) a Vice-Chairperson;

(c) the Chairperson of the Council;

(d) a peer of the health practitioner against whom a complaint of professional misconduct is made: and

(e) a lay member of the Council.

(2) The Chairperson and Vice-Chairperson shall be legal practitioners qualified to hold, or who have held, high judicial office.

(3) A person shall not be appointed as a member of the Disciplinary Committee if the person

(a) has committed or been convicted of any professional misconduct;

(b) is in lawful custody or the person's freedom of movement is restricted under any law in force within or outside Zambia; or

(c) has been convicted of an offence under any law.

(4) A member of the Disciplinary Committee shall hold office for three years and may be appointed for a further term of three years.

(5) A member of the Disciplinary Committee shall not serve for more than two terms.

(6) The Chairperson, or in the absence of the Chairperson, the Vice-Chairperson, shall preside at every meeting and every sitting of the Disciplinary Committee.

64. (1) The functions of the Disciplinary Committee are to hear and determine— Functions of Disciplinary Committee

(a) any disciplinary action initiated by the Council against a health practitioner who has contravened any provision of the Code of Ethics or any provision of this Act; or



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(b) any complaint or allegation made by any person against a health practitioner.

(2) The Disciplinary Committee may publicise, as the Disciplinary Committee may consider appropriate, the facts relating to any health practitioner who is found guilty of, and punished for, professional misconduct.

Proceedings
of
Disciplinary
Committee

65. (1) Three members of the Disciplinary Committee shall form a quorum.

(2) Any question at a sitting or meeting of the Disciplinary Committee shall be decided by a majority of the votes of the members of the Disciplinary Committee at the sitting or meeting and in the event of an equality of votes, the person presiding at the sitting or meeting shall have a casting vote in addition to that person's deliberative vote.

(3) All proceedings of the Disciplinary Committee shall be in camera.

(4) The Disciplinary Committee shall cause to be kept a record of its proceedings.

(5) A party to a hearing of the Disciplinary Committee may be represented by a legal practitioner or, if the party so elects, by any other person or in person.

(6) A decision of the Disciplinary Committee shall be in the form of a reasoned judgment and a copy thereof shall be supplied to each party to the proceedings and to every person affected by the decision.

(7) If a person is present at a meeting of the Disciplinary Committee at which any matter is the subject of consideration, and in which matter the person or that person's spouse is directly or indirectly interested in a private capacity, that person shall, as soon as is practicable after the commencement of the meeting, disclose the interest and shall not, unless the Disciplinary Committee otherwise directs, take part in any consideration or discussion of, or vote on, any question relating to that matter.

(8) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which it is made.

Powers of
Disciplinary
Committee

66. (1) The Disciplinary Committee may, for the purposes of any hearing, hear and receive evidence and may, under the hand of the Chairperson of the Disciplinary Committee or the Registrar, summon witnesses and require the production of any book, record, document, electronic record or anything required for the purposes of the proceeding and may through the Chairperson or Vice Chairperson of the Disciplinary Committee administer an oath to any witness.



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(2) A person summoned to attend before the Disciplinary Committee who, without sufficient cause—

- (a) refuses or fails to attend at the time and place specified in the summons or, having attended, leaves without the permission of the Disciplinary Committee;
- (b) having attended, refuses to be sworn Cap. 87 or to affirm;
- (c) refuses, without lawful excuse, to answer fully and satisfactorily to the best of that person's knowledge and belief, any question lawfully put to that person; or
- (d) refuses to produce any book, record, document or thing which that person has been required by summons to produce;

commits an offence and is liable, upon conviction, for every such refusal or failure, to a fine not exceeding twenty thousand penalty units.

(3) A person shall not be compelled to answer any question or produce any book, record or document which that person would not be compelled to answer or produce on the trial of an action in the High Court.

(4) A hearing before the Disciplinary Committee shall, for all purposes, and in particular for the purposes of Chapter XI of the Penal Code, be deemed to be a judicial proceeding.

Cap. 87

(5) Where the Disciplinary Committee, after due inquiry, finds a health practitioner guilty of professional misconduct, it may impose one or more of the following penalties:

- (a) order the cancellation of the health practitioner's practising certificate or certificate of registration;
- (b) censure the health practitioner;
- (c) caution the health practitioner;
- (d) impose a fine, not exceeding three hundred thousand penalty units to be paid to the Council;
- (e) order the health practitioner to pay to the Council or to any other party to the hearing any costs of, or incidental to, the proceedings;
- (f) order the health practitioner to pay any party to the hearing or other person, as restitution, the amount of loss caused by that person's negligence; or



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(g) impose any reasonable conditions for the suspension, for a period not exceeding one year of, the health practitioner's certificate of registration or practising certificate.

(6) In any hearing before the Disciplinary Committee, any finding of fact which is shown to have been made by any court in Zambia shall be conclusive evidence of the fact so found.

(7) The Disciplinary Committee shall, where it has reasonable cause to believe that a health practitioner is, or has become mentally unsound to the extent that the continued practising by the health practitioner is prejudicial to public health, refer the matter for determination by a medical doctor.

(8) The Disciplinary Committee shall, where a medical doctor determines that a health practitioner is of unsound mind, suspend the practising certificate of the health practitioner.

(9) The Disciplinary Committee shall, where after due inquiry, it finds a health practitioner not guilty of professional misconduct, record a finding that the health practitioner is not guilty of such conduct in respect of matters of which the charge relates.

(10) The Disciplinary Committee may, for the purpose of any proceedings, use such assessors or experts as the Disciplinary Committee may determine.

Reports by
Disciplinary
Committee

67. The Disciplinary Committee shall, as soon as practicable after the completion of each hearing, submit to the Council a report of the proceedings together with a copy of the record.

Appeals to
High
Court

68. (1) A person aggrieved with a decision of the Disciplinary Committee may, within thirty days of receiving the decision, appeal to the High Court.

(2) The Council shall be the respondent on any appeal under this section.

(3) A decision of the Disciplinary Committee under this Part shall not take effect until the expiration of the time for lodging an appeal against the decision or, if an appeal is lodged, until the time the appeal is disposed of, withdrawn or struck out for want of prosecution, as the case may be.

(4) The High Court may, on any appeal under this section—

(a) confirm, vary or set aside any finding made, penalty imposed or direction given by the Disciplinary Committee;



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(b) remit the matter to the Disciplinary Committee for further consideration in accordance with such directions as the High Court may give; or

(c) make such other order as to costs or otherwise as it considers appropriate.

(5) Proceedings of the Disciplinary Committee shall not be set aside by reason only of some irregularity in those proceedings if such irregularity did not occasion a substantial miscarriage of justice.

69. The Chief Justice may, by statutory instrument, make rules regulating appeals to the High Court under this Part.

Rules by
Chief
Justice

70. (1) The Chief Justice may, by statutory instrument, on the recommendation of the Council, make rules relating to—

Rules
relating
to
disciplinary
proceedings

(a) the manner and form for lodging of complaints under this Part;

(b) the mode of summoning persons before the Disciplinary Committee;

(c) the form and manner of service of a summons requiring the attendance of a witness before the Disciplinary Committee and the production of any book, record, document or thing;

(d) the procedure to be followed and rules of evidence to be observed in proceedings before the Disciplinary Committee; and

(e) the functions of the assessors to the Disciplinary Committee.

(2) Rules made under this section may, in particular, provide—

(a) that before any matters are referred to the Disciplinary Committee they shall, in such manner as may be provided by the rules, have been brought before and investigated by the Council in this respect;

(b) for securing notices for the proceedings and specifying the time and manner of the proceedings; and

(c) for securing that any party to the proceedings shall, if that person requires, be entitled to be heard by the Disciplinary Committee.



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PART VIII

GENERAL PROVISIONS

Jurisdiction
over acts
committed
outside
Zambia

71. (1) A court of competent jurisdiction shall have jurisdiction over health practitioners for any act committed outside Zambia which, if it had been committed in Zambia, would have been an offence or professional misconduct under this Act.

(2) Any proceedings against a health practitioner under this section which would be a bar to subsequent proceedings against the health practitioner, for the same offence, if the offence had been committed in Zambia, shall be a bar to further proceedings against the health practitioner under any written law relating to the extradition of persons, in respect of the same offence outside Zambia.

Cap. 98

(3) The Mutual Legal Assistance in Criminal Matters Act shall apply to proceedings under this Act.

Presumption
of non-
registration

72. In any criminal proceedings against a health practitioner upon a charge of having performed an act which constitutes an offence if performed by an unregistered health practitioner, the health practitioner charged shall be presumed to be unregistered unless that health practitioner proves the contrary.

No execution
on property
of Council

73. Notwithstanding anything contrary contained in any written law, where a judgment or order has been obtained against the Council, no execution or attachment, or process of any nature, shall be issued against the Council or against the property of the Council, but the Registrar shall cause to be paid out of the revenue of the Council such amounts as may, by the judgment or order, be awarded against the Council to the person entitled to the amounts.

General
penalty

74. A person who contravenes a provision of this Act for which a specific penalty is not provided for under this Act, commits an offence and is liable, upon conviction, to a fine not exceeding one hundred thousand penalty units or to imprisonment for a period not exceeding one year, or to both.

Offences by
body
corporate or
unincorporate
body

75. If a body corporate or un-incorporate body is convicted of an offence under this Act, every person who-

(a) is a director of, or is otherwise concerned with the management of, the body corporate or un-incorporate body; and

(b) knowingly authorised or permitted the act or omission constituting the offence;



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shall be deemed to have committed the same offence and may be proceeded against and punished accordingly.

76. (1) In the exercise of its functions under this Act, the Council may make such guidelines as are necessary for the better carrying out of the provisions of this Act. Authority to issue guidelines

(2) The Council shall publish the guidelines issued under this Act in a daily newspaper of general circulation in Zambia, and the guidelines shall not take effect until they are so published.

(3) The guidelines issued by the Council under this Act shall bind all persons regulated under this Act.

77. (1) The Minister may, on the recommendation of the Council, by statutory instrument, make regulations for the better carrying out of the provisions of this Act. Regulations

(2) Without prejudice to the generality of subsection (1), regulations under that subsection may make provision for—

(a) the forms, fees payable and the procedure for applications to be made under this Act;

(b) the information and documents to be submitted in support of applications to be made under this Act;

(c) the form and conditions of the Register, and the particulars to be entered on the Register;

(d) the form of the certificate of registration and the conditions under which the certificate of registration is issued;

(e) the form of the practising certificate and the conditions under which the practising certificate is issued;

(f) the qualifications for registration of health practitioners;

(g) the scope of practise for registered health practitioners;

(h) the issuance of duplicates and certified copies of certificates of registration, certified copies of entries on the Register, certificates by the Registrar, and the fees payable to the Council therefor;

(i) the circumstances and manner in which a health practitioner may be removed from the Register or restored on the Register;

(j) the type of continuing professional development and training required as a pre-requisite for the issuance of a practising certificate;



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- (k) the requirements and conditions for the granting of accreditation and the manner in which the Council shall administer and monitor compliance with accreditation requirements and conditions;
- (l) the licensing procedures and the forms for any licence needed to be obtained under this Act;
- (m) the requirements and conditions relating to the licence classes for health facilities; and
- (n) generally the carrying into effect of the purposes of this Act.

Repeal of
Act No. 22
of 1977

78. (1) The Medical and Allied Professions Act, 1977, is hereby repealed.

(2) Notwithstanding subsection (1), the provisions of the Second Schedule shall apply in respect of the matters specified therein.

(3) Notwithstanding subsection (1), a person who immediately before the appointed date, held office as a member of the former Council shall hold office as a member of the Council for a period of three months after which the Minister shall appoint the members of the Council in accordance with the provisions of this Act.

Cap. 297

(4) After the appointed date, a person registered as a health practitioner under the repealed Act shall continue to practise as a health practitioner for a period of three months, after which the person shall apply for registration in accordance with the provisions of this Act.

(5) After the appointed date, a health facility registered by the former Council shall continue to operate for a period of one year, after which the facility shall apply for a new licence under this Act.



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FIRST SCHEDULE

(Section 4 (3))

PART I

ADMINISTRATION OF COUNCIL

1. (1) The Council shall consist of the following part-time members appointed by the Minister: Composition of Council

- (a)* the President of the General Nursing Council of Zambia;
- (b)* the Permanent Secretary of the Ministry responsible for health;
- (c)* the Dean of the School of Medicine;
- (d)* the Director of the University Teaching Hospital;
- (e)* a representative of the Defence Forces Medical Services;
- (f)* a representative from the Ministry responsible for science and technology;
- (g)* two members of the public who have distinguished themselves in the service of the public;
- (h)* a representative of the Pharmaceutical Regulatory Authority;
- (i)* a representative of the Attorney General;
- (j)* a representative of the Zambia Medical Association;
- (k)* a representative of the Faculty of General Practitioners;
- (l)* a representative of the Churches Health Association of Zambia;
- (m)* a dental surgeon from the Dental Association of Zambia;
- (n)* a representative of the Pharmaceutical Society of Zambia; and
- (o)* a representative of any four other health professions nominated by the chairperson of the health professional body of that health profession.

(2) The Minister shall, on receiving the names of the proposed representatives under subsection (2), consider the nominations and may reject any nomination:



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Provided that where the Minister rejects any proposed representative, the Minister shall direct the organisation or institution which proposed the representative to avail the Minister with the name of another representative.

(3) The Chairperson and the Vice-Chairperson of the Council shall be appointed by the Minister from amongst the members of the Council.

(4) A person shall not be eligible for appointment as a member of the Council if—

(a) that person is under any written law, adjudged or otherwise declared to be of unsound mind; or

(b) that person is adjudged or declared bankrupt under any written law in Zambia; or

(c) that person has been convicted of an offence under this Act, the Pharmaceutical Act, 2004, or any other law relating to the practise of medicine.

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2004

Seal of
Council

2. (1) The Seal of the Council shall be such device as may be determined by the Council and shall be kept by the Registrar.

(2) The Chairperson or the Vice Chairperson, the Registrar or any other person authorised by a resolution of the Council to so act, shall authenticate the affixing of the seal.

(3) Where a contract or instrument is not required to be under seal, the Registrar or a person authorised by the Council in that behalf, may execute the contract or instrument on behalf of the Council without seal.

(4) A document purporting to be a document under the seal of the Council or issued on behalf of the Council, shall be received in evidence and shall be executed or issued, as the case may be, without further proof, unless the contrary is proved.

Tenure of
office and
vacancy of
member

3. (1) A member of the Council shall, subject to the other provisions of this Schedule, hold office for a term of three years and may be re-appointed for a further term of three years.

(2) Upon the expiration of the term for which a member is appointed, the member shall continue to hold office until another member is appointed, but in no case shall any extension of the period exceed three months.



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- (3) The office of a member shall be vacated—
- (a) upon the member's death;
 - (b) if the member is adjudged bankrupt;
 - (c) if the member is absent from three consecutive meetings of the Council, of which the member has had notice, without the prior approval of the Council;
 - (d) upon the expiry of one month's notice of the member's intention to resign, given by the member in writing to the Minister;
 - (e) if the member becomes mentally or physically incapable of performing duties as a member;
 - (f) if the Minister is satisfied that the continuation of that health practitioner as a member will be prejudicial to the interest of the health profession;
 - (g) in the case of members of the Council registered under this Act, if the member's registration is cancelled;
 - (h) if the member is removed by the Minister; or
 - (i) if the member is convicted of an offence under this Act or any other law.

(4) Where there is a vacancy in the membership of the Council before the expiry of the term of office, the Minister shall appoint another person to replace the member who vacates office but that person shall only hold office for the remainder of the term.

4. (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 twice in every three months at such places and times as the Council 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 one third of the members so request in writing:

Provided that if the urgency of a particular matter does not permit the giving of notice, a special meeting may be called upon giving a shorter notice.

(4) Twelve members of the Council shall constitute a quorum.

(5) There shall preside at a meeting of the Council—

- (a) the Chairperson;



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(b) in the absence of the Chairperson, the Vice- Chairperson;
or

(c) in the absence of the Chairperson and the Vice-
Chairperson, a member of the Council as the members
present may elect from amongst themselves 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, in addition to a deliberative vote, a casting vote.

(7) Where a member is for any reason unable to attend the
meeting of the Council, the member may, in writing, nominate
another person from the same organisation to attend a meeting in
that member's stead and such person shall be deemed to be a
member for the purpose of that meeting.

(8) The Council may invite any person whose presence, in its
opinion, is desirable to attend and participate in the deliberations of
a meeting of the Council, but that person shall have no vote.

(9) 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 any defect in the appointment of any member or by
reason that any person not entitled to do so, took part in the
proceedings.

(10) The Council shall cause minutes to be kept of the
proceedings of every meeting of the Council and committee
established by the Council.

Committees

5. (1) The Council may, for the purpose of performing its
functions under this Act, constitute a committee and delegate to
the committee such functions of the Council as it considers necessary.

(2) The Council may appoint as members of a committee
constituted under sub-paragraph (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 constituted under this paragraph may regulate its
own procedure.

Allowances

6. A member of the Council or any committee thereof shall
be paid such allowances as the Council may, with the approval of
the Minister, determine.



Ministry of Health



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7. (1) If any person is present at a meeting of the Council or a committee of the Council at which any matter, in which that person or any member of the persons immediate family is directly or indirectly interested in a private capacity, is the subject of consideration, that person shall, as soon as practicable after the commencement of the meeting, disclose that interest and shall not, unless the Council or the committee otherwise directs, take part in any consideration or discussion of, or vote on any question relating to that matter.

Disclosure of interest

(2) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which the disclosure is made.

8. (1) A person shall not, without the consent in writing given by or on behalf of the Council, publish or disclose to any unauthorised person, otherwise than in the course of that person's duties, the contents of any document, communication or information whatsoever, which relates to, and which has come to that person's knowledge in the course of that person's duties under this Act.

Prohibition of publication of, or disclosure of information to unauthorised person

(2) A person who contravenes subparagraph (1) commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment to a period not exceeding two years, or to both.

(3) A person who, having information which to the knowledge of that person has been published or disclosed in contravention of subparagraph (1), unlawfully publishes or communicates the information to any other person, the person commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a period not exceeding two years, or to both.

(4) Nothing in this section shall be interpreted to prohibit the publication and dissemination of final decisions of the Council with respect to the revocation of registration, practising certificates, licences or accreditation.

9. An action or other proceeding shall not lie or be instituted against a member of the Council, a committee of the Council or a member of staff of the Council, for or in respect of any act or thing done or omitted to be done in good faith in the exercise or performance, or purported exercise or performance, of any of the powers, functions or duties conferred under this Act.

Immunity of member and staff



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PART II

FINANCIAL PROVISIONS

- Funds of Council
10. (1) The funds of the Council shall consist of such moneys as may
- (a) be appropriated by Parliament;
 - (b) be paid to the Council by way of fees, levy, grants or donations; or
 - (c) vest in or accrue to the Council.
- (2) The Council 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;
 - (b) raise by way of loans or otherwise, moneys as the Council may require for the discharge of the Council's functions; or
 - (c) in accordance with the regulations made under this Act, charge and collect fees for services provided by the Council.
- (3) There shall be paid from the funds of the Council—
- (a) the salaries, allowances and loans of members of staff of the Council;
 - (b) reasonable traveling, transport and subsistence allowances for members of the Council or members of any committee of the Council when engaged in the business of the Council, at such rates as the Council may, with the approval of the Minister, determine; and
 - (c) any other expenses incurred by the Council in the performance of the Council's functions.
- (4) The Council may invest, in such manner as the Council thinks fit, funds that the Council does not immediately require for the performance of the Council's functions.
- Financial year
11. The financial year of the Council shall be the period of twelve months ending on 31st December in each year.
- Accounts and audit
12. (1) The Council shall cause to be kept proper books of accounts and other records relating to the Council's accounts.



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SECOND SCHEDULE

(Section 77)

SAVINGS AND TRANSITIONAL PROVISIONS

Staff of
Council

1. (1) For the avoidance of doubt, a person who, before the commencement of this Act, was an officer or employee of the former Council, shall continue to be an officer or employee of the Council, as the case may be, as if appointed or employed under this Act.

(2) The service of the persons referred to, in subparagraph (1) shall be treated as continuous service.

(3) Nothing in this Act, affects the rights and liabilities of any person employed or appointed by the former Council before the commencement of this Act.

Transfer of
assets and
liabilities

2. (1) On or after the commencement of this Act, there shall be transferred to, vest in and subsist against the Council by virtue of this Act and without further assurance, all assets, rights and obligations which immediately before that date were the assets, rights, liabilities and obligations of the former Council.

(2) Subject to subparagraph (1), every deed, bond and agreement, other than an agreement for personnel service, to which the former Council was a party immediately before the commencement of this Act whether or not of such a nature that rights, liabilities and obligations could be assigned, shall, unless its subject matter or terms make it impossible that it should have effect as modified, as provided under this paragraph, have effect as if—

(a) the Council had been party to it;

(b) for any reference to the former Council there was substituted, with respect to anything falling to be done on or after the commencement of this Act, a reference to the Council; or

(c) for any reference to any officer of the former Council, not being a party to it and beneficially interested, there were substituted, as respects anything falling to be done on or after the commencement of this Act, a reference to such officer of the Council as the Council shall designate.



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7. (1) If any person is present at a meeting of the Council or a committee of the Council at which any matter, in which that person or any member of the persons immediate family is directly or indirectly interested in a private capacity, is the subject of consideration, that person shall, as soon as practicable after the commencement of the meeting, disclose that interest and shall not, unless the Council or the committee otherwise directs, take part in any consideration or discussion of, or vote on any question relating to that matter.

Disclosure of interest

(2) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which the disclosure is made.

8. (1) A person shall not, without the consent in writing given by or on behalf of the Council, publish or disclose to any unauthorised person, otherwise than in the course of that person's duties, the contents of any document, communication or information whatsoever, which relates to, and which has come to that person's knowledge in the course of that person's duties under this Act.

Prohibition of publication of, or disclosure of information to unauthorised person

(2) A person who contravenes subparagraph (1) commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment to a period not exceeding two years, or to both.

(3) A person who, having information which to the knowledge of that person has been published or disclosed in contravention of subparagraph (1), unlawfully publishes or communicates the information to any other person, the person commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a period not exceeding two years, or to both.

(4) Nothing in this section shall be interpreted to prohibit the publication and dissemination of final decisions of the Council with respect to the revocation of registration, practising certificates, licences or accreditation.

9. An action or other proceeding shall not lie or be instituted against a member of the Council, a committee of the Council or a member of staff of the Council, for or in respect of any act or thing done or omitted to be done in good faith in the exercise or performance, or purported exercise or performance, of any of the powers, functions or duties conferred under this Act.

Immunity of member and staff



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Unlocking Zambia's Potential

390 No. 24 of 2009]

Health Professions

PART II

FINANCIAL PROVISIONS

- Funds of Council
10. (1) The funds of the Council shall consist of such moneys as may
- (a) be appropriated by Parliament;
 - (b) be paid to the Council by way of fees, levy, grants or donations; or
 - (c) vest in or accrue to the Council.
- (2) The Council 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;
 - (b) raise by way of loans or otherwise, moneys as the Council may require for the discharge of the Council's functions; or
 - (c) in accordance with the regulations made under this Act, charge and collect fees for services provided by the Council.
- (3) There shall be paid from the funds of the Council—
- (a) the salaries, allowances and loans of members of staff of the Council;
 - (b) reasonable traveling, transport and subsistence allowances for members of the Council or members of any committee of the Council when engaged in the business of the Council, at such rates as the Council may, with the approval of the Minister, determine; and
 - (c) any other expenses incurred by the Council in the performance of the Council's functions.
- (4) The Council may invest, in such manner as the Council thinks fit, funds that the Council does not immediately require for the performance of the Council's functions.
- Financial year
11. The financial year of the Council shall be the period of twelve months ending on 31st December in each year.
- Accounts and audit
12. (1) The Council shall cause to be kept proper books of accounts and other records relating to the Council's accounts.



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Health Professions

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(2) The accounts of the Council 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 Council by the Council with the approval of the Auditor-General.

(3) The Council shall, not later than six months after the end of each financial year of the Council, 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 the report, lay it before the National Assembly.



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SECOND SCHEDULE

(Section 77)

SAVINGS AND TRANSITIONAL PROVISIONS

Staff of
Council

1. (1) For the avoidance of doubt, a person who, before the commencement of this Act, was an officer or employee of the former Council, shall continue to be an officer or employee of the Council, as the case may be, as if appointed or employed under this Act.

(2) The service of the persons referred to, in subparagraph (1) shall be treated as continuous service.

(3) Nothing in this Act, affects the rights and liabilities of any person employed or appointed by the former Council before the commencement of this Act.

Transfer of
assets and
liabilities

2. (1) On or after the commencement of this Act, there shall be transferred to, vest in and subsist against the Council by virtue of this Act and without further assurance, all assets, rights and obligations which immediately before that date were the assets, rights, liabilities and obligations of the former Council.

(2) Subject to subparagraph (1), every deed, bond and agreement, other than an agreement for personnel service, to which the former Council was a party immediately before the commencement of this Act whether or not of such a nature that rights, liabilities and obligations could be assigned, shall, unless its subject matter or terms make it impossible that it should have effect as modified, as provided under this paragraph, have effect as if—

(a) the Council had been party to it;

(b) for any reference to the former Council there was substituted, with respect to anything falling to be done on or after the commencement of this Act, a reference to the Council; or

(c) for any reference to any officer of the former Council, not being a party to it and beneficially interested, there were substituted, as respects anything falling to be done on or after the commencement of this Act, a reference to such officer of the Council as the Council shall designate.



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(3) Where under this Act, any assets, rights, liabilities and obligations of the former Council are deemed to be transferred to the Council in respect of which transfer a written law provides for registration, the Council shall make an application in writing to the appropriate registration authority for registration of the transfer.

(4) The registration authority, referred to in subparagraph (2), shall make such entries in the appropriate register as shall give effect to the transfer and, where applicable, issue to the transferee concerned a certificate of title in respect of the property or make necessary amendments to the register and shall endorse the deeds relating to the title, right or obligation concerned and no registration fees or other duties shall be payable in respect of the transaction.

3. (1) Any legal proceedings or application of the former Council pending immediately before the commencement of this Act by or against the former Council may be continued by or against the Council.

Legal proceedings

(2) After the commencement of this Act, proceedings in respect of any right, liability or obligation which was vested in, held, enjoyed, incurred or suffered by the former Council, may be instituted by or against the Council.



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CHAPTER 306 THE HUMAN TISSUE ACT

THE HUMAN TISSUE ACT

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Examination and use of bodies for medical purposes
3. Further provision with respect to the giving of an authority for the examination and use of bodies
4. Examination of bodies and removal of parts to be undertaken under medical supervision
5. Saving

CHAPTER 306

HUMAN TISSUE

An Act to make provision with respect to the examination and use of, or of parts of, bodies of deceased persons for therapeutic purposes and purposes of medical education and research.

(7th December, 1962)

*Federal Act
47 of 1962
Government Notice 360 of
1963
Federal Act
47 of 1962
Government Notice
360 of 1963*

1. This Act may be cited as the Human Tissue Act.

Short title

2. (1) If any person, either in writing at any time or orally in the presence of two or more witnesses during his last illness, has expressed a request that after his death his body or any specified part of his body be used for therapeutic purposes or be examined or used for purposes of medical education or research, the person lawfully in possession of his body after his death may, unless he has reason to believe that the request was subsequently withdrawn, authorise the examination or use of the body or of the specified part, in accordance with the request, and for that purpose may authorise the removal from the body of any part or, as the case may be, the specified part, for such examination or use.

Examination and use of
bodies for medical
purposes

(2) Without prejudice to the provisions of subsection (1), the person lawfully in possession of the body of a deceased person may, for the said purposes, authorise the examination or use of the body and the removal from the body of any part if, having made such reasonable inquiry as may be practicable, he has no reason to believe-

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(a) that the deceased had expressed an objection to his body being so dealt with after his death, and had not withdrawn it; or

(b) that the surviving spouse or any surviving relative of the deceased objects to the body being so dealt with.

(3) Subject to the provisions of this Act-

(a) the examination and use of, or of any part of, a body; and

(b) the removal of any part of a body;

in accordance with an authority given in pursuance of this section shall be lawful.

3. (1) Where a person has reason to believe that, in accordance with any written law for the time being in force-

Further provision with respect to the giving of an authority for the examination and use of bodies

(a) an inquest may be required to be held on a body; or

(b) a *post-mortem* examination may be required to be carried out on a body; or

(c) a body or any part of a body may be required to be dealt with or disposed of in any other manner prescribed by or under the written law; he shall not-

(i) give an authority under section *two* in respect of that body or part; or

(ii) act on such an authority given by any other person.

(2) No authority shall be given under section *two* in respect of any body by a person entrusted with the body for the purpose only of its interment or cremation.

(3) In the case of a body lying in a hospital, nursing home or other institution, any authority under section *two* may be given on behalf of the person having the control and management thereof by any officer or person designated for that purpose by the first-mentioned person.

(As amended by G.N. No. 360 of 1963)

4. (1) No examination of, or of a part of, a body in accordance with an authority given under section *two* shall be carried out otherwise than by or in accordance with the instructions of a medical practitioner, who must have satisfied himself by a personal examination of the body that life is extinct.

Examination of bodies and removal of parts to be undertaken under medical supervision

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(2) No removal of a part of a body in accordance with an authority given under section *two* shall be effected except by a medical practitioner, who must have satisfied himself by a personal examination of the body that life is extinct.

5. Nothing in this Act shall be construed as rendering unlawful any dealing with, or with any part of, the body of a deceased person which is lawful apart from this Act. Saving

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CHAPTER 317 THE MEDICAL AND SOCIETIES AND NURSING HOMES (DISSOLUTION AND PROHIBITION) ACT

THE MEDICAL AND SOCIETIES AND NURSING HOMES (DISSOLUTION AND PROHIBITION) ACT

ARRANGEMENT OF SECTIONS

Section

1. Short title and commencement
2. Interpretation
3. Dissolution of Societies
4. Winding up of Societies
5. Prohibition of transfer of property of Societies
6. Prohibition of establishment and operation of medical aid societies and nursing homes
7. Consequences of dissolution of Societies
8. Closure of nursing homes
9. Offences
10. Regulations

CHAPTER 317

MEDICAL AID SOCIETIES AND NURSING HOMES (DISSOLUTION AND PROHIBITION)

21 of 1975
13 of 1994

An Act to provide for the winding up and dissolution of medical aid societies; to prohibit the establishment and operation of medical aid societies and nursing homes; and to provide for matters connected with or incidental to the foregoing.

[1st August, 1975]

1. This Act may be cited as the Medical Aid Societies and Nursing Homes (Dissolution and Prohibition) Act, and is deemed to have come into operation on the 1st August, 1975. Short title and commencement

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

"consulting room" means any premises, other than a nursing home, used or intended to be used for the consultation, advice and treatment of patients, usually provided by a medical practitioner or a dental surgeon and includes a clinic but does not include-

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- (a) any consulting room maintained or controlled by the Government; or
- (b) any institution or premises exempted by the Minister or the Council from the provisions of this Act or any other written law;

"Council" means the Medical Council of Zambia;

"maternity ward" means part of any premises in a hospital or nursing home used or intended to be used for the reception of pregnant women, or of women immediately after child-birth;

"nursing home" means any premises used or intended to be used for the reception of, and the provision of nursing care to, persons suffering from any disease, injury or infirmity, and includes a hospital or maternity ward in such hospital or nursing home but does not include-

- (a) any hospital, maternity home or other like premises maintained or controlled by the Government; or
- (b) any institution exempted by the Minister or the Council from the provisions of this Act or any other written law;

"Societies" means the Commercial and Industrial Medical Aid Society Limited and the Zambia Medical Aid Society Limited, companies registered under the Companies Act.

Cap. 388

3. (1) The Commercial and Industrial Medical Aid Society Limited and the Zambia Medical Aid Society Limited shall, with effect from the commencement of this Act, cease to exist except for the purpose of winding up their affairs.

Dissolution of Societies

(2) When the Minister is satisfied that all necessary agreements and arrangements have been made for the winding up of the affairs of the Societies so that they may be dissolved, the Minister shall by statutory notice appoint a date on which the Societies shall be dissolved.

4. (1) Subject to the provisions of this Act, the Societies shall be wound up in accordance with the provisions of the Companies Act relating to voluntary winding up.

Winding up of Societies
Cap. 388

(2) No person shall be appointed a liquidator of either of the Societies without the prior written approval of the Minister, and any liquidator so appointed shall be paid out of the assets of that Society such remuneration as may be approved by the Minister.

5. (1) No person shall transfer any money, property or other assets of either of the Societies, whether by gift, loan, payment, sale or other disposition, and whether for the purpose of the winding up of the affairs of that Society or otherwise, without the prior written approval of the Minister.

Prohibition of transfer of
property of Societies

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(2) Any transfer of money, property or other assets in contravention of this section shall be null and void.

6. (1) With effect from the commencement of this Act-

Prohibition of establishment and operation of medical aid societies and nursing homes

(a) no company, society or other association shall be formed in the Republic for the purpose of providing directly or indirectly to its members medical, surgical or other curative treatment or preventive health service or of reimbursing such members the whole or part of any expenses incurred by such members in obtaining such treatment or such service, or providing to such members any other benefit during or in relation to their sickness, injury or other indisposition;

(b) no person shall establish or operate any maternity ward or nursing home.

(2) Notwithstanding the provisions of subsection (1), the Minister may grant exemption from the provisions of this Act or permit the establishment or operation of a nursing home on such conditions as the Minister may impose.

7. Notwithstanding anything to the contrary contained in any written law or in the memorandum and articles of association of either of the Societies or in any other document, the winding up and dissolution of the Societies under this Act shall not operate as a breach of contract by either of the Societies, and the contractual rights and obligations of any person affected by such winding up and dissolution shall, upon the commencement of this Act, be determined in accordance with the provisions of the Law Reform (Frustrated Contracts) Act.

Consequences of dissolution of Societies
Cap. 73

8. The Minister may order the person who owns or operates any nursing home which is established or operated in contravention of this Act to close down such nursing home.

Closure of nursing homes

9. Any person who after the publication of this Act contravenes any provision thereof or any order made thereunder shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding seven thousand five hundred penalty units, or to both.

Offences

(As amended by Act No. 13 of 1994)

10. The Minister may, by statutory instrument, make regulations and in writing give directions for the better carrying into effect of this Act.

Regulations

SUBSIDIARY LEGISLATION

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SECTION 10-THE MEDICAL AID SOCIETIES AND NURSING HOMES (EXEMPTION, ESTABLISHMENT AND OPERATION) REGULATIONS

Statutory Instruments
91 of 1990
118 of 1994

Regulations by the Minister

1. These Regulations may be cited as the Medical Aid Societies and Nursing Homes (Exemption, Establishment and Operation) Regulations. Title

2. In these regulations unless the context otherwise requires, "appropriate professional medical body" means- Interpretation

- (a) the Medical Council of Zambia;
- (b) the Pharmacy and Poisons Board; and
- (c) the General Nursing Council.

3. (1) The organisations set out in the Schedule to these Regulations are-

Organisations exempt or permitted to establish or operate nursing homes

- (a) exempt from the provisions of subsection (1) of section six; or
- (b) are permitted to establish and operate a nursing home.

(2) Any person or organisation whose majority shareholders are Zambians may apply to the Medical Council of Zambia for permission to establish or operate a nursing home in accordance with these Regulations.

(3) A person or organisation exempted or permitted to operate or establish a nursing home under these Regulations shall be issued with a certificate of authority by the Medical Council of Zambia.

(As amended by S.I. No. 118 of 1994)

4. (1) Every nursing home shall appoint and employ personnel registered with the appropriate professional medical body to operate and provide service in that institution.

Staff and services of nursing homes

(2) Every nursing home shall publish a notice for the public at its premises outlining the services offered and the personnel available to provide such services.

(3) No nursing home shall publish the services and personnel referred to in subsection (2) without the prior written approval of the Medical Council of Zambia.

(As amended by S.I. No. 118 of 1994)

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5. (1) The premises of a nursing home shall be constructed in such a way and contain such equipment and machinery as shall be commensurate with the services it will provide. Premises and facilities of nursing homes

(2) Every nursing home operating as a private hospital shall provide the following basic services and facilities:

- (a) emergency and casualty services operating twenty-four hours;
- (b) out-patient department;
- (c) operating theatre facilities;
- (d) laundry facilities;
- (e) kitchen and catering facilities;
- (f) laboratory and blood bank services;
- (g) ambulance service;
- (h) X-ray and other radiological facilities;
- (i) mortuary and incinerator facilities;
- (j) diagnostic equipment;
- (k) pharmacy; and
- (l) an efficient communication system.

(3) A nursing home other than that operating as a private hospital shall provide the following basic services and facilities:

- (a) emergency and casualty services; and
- (b) physiotherapy facilities and services.

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6. (1) A person authorised by the Medical Council of Zambia may at all reasonable times enter and inspect any premises which are being used as a nursing home to ensure that the provisions of these Regulations are being complied with: Entry and inspection

Provided that nothing in this subsection shall be deemed to authorise the Medical Council of Zambia to inspect any medical record of any patient.

(2) Any person who refuses to allow the Medical Council under subsection (1) to enter and inspect any such premises shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding seventy five penalty units to imprisonment for a period not exceeding six months or to both.

(As amended by Act No. 13 of 1994 and S.I. No. 118 of 1994)

7. For the performance of its functions under these Regulations the Medical Council of Zambia shall constitute an Administrative Advisory Board on such terms and conditions as it may determine. Administrative Advisory Board

(As amended by S.I. No. 118 of 1994)

8. (1) A nursing home shall charge such fees as are commensurate with the services it provides. Fees

(2) No fees shall be charged by a nursing home which have not been approved by the Medical Council of Zambia.

(3) The Medical Council shall by statutory order determine the fees payable for obtaining the certificate of authority referred to under regulation 3.

(As amended by S.I. No. 118 of 1994)

SCHEDULE

(Regulation 3)

Organisations exempted or permitted to establish and operate nursing homes:

1. Zambia Industrial and Mining Corporation and its subsidiaries.
2. Zambia National Provident Fund.
3. Zambia Consolidated Copper Mines Limited.

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CHAPTER 305 THE MENTAL DISORDERS ACT CHAPTER 305

THE MENTAL DISORDERS ACT

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CHAPTER 305

MENTAL DISORDERS

An Act to provide for the care of persons suffering from mental disorder or mental defect; to provide for the custody of their persons and the administration of their estates; and to provide for matters incidental to or connected with the foregoing.

21 of 1949
22 of 1951
50 of 1963
69 of 1965
Federal Government Notice
90 of 1957
Government Notices
159 of 1964
497 of 1964
Statutory Instrument
163 of 1965
Act No
13 of 1994

PART I

PRELIMINARY

1. This Act may be cited as the Mental Disorders Act.

Short title

2. In this Act, unless the context otherwise requires-

Interpretation

"adjudication order" means an order made under section *eleven*;

"child" means a person under the age of sixteen years;

"control order" means an order made under section *thirteen*;

"Court" means the High Court or a Judge sitting in chambers;

"inquiry" means an inquiry instituted under sections *seven, eight, and Nine*;

"institution" means any mental hospital or other place which has been or may hereafter be prescribed by the Minister as an institution or place for the reception, treatment, or detention of two or more persons suffering from any mental disorder or defect;

"magistrate" means a magistrate empowered to preside over a subordinate court of the first or second class;

*(1)"medical practitioner" means a medical practitioner registered under the Medical and Allied Professions Act; Cap. 297

* See section 56 of the Medical and Allied Professions Act (Cap. 297)

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"mentally disordered or defective person" means any person who, in consequence of mental disorder or disease or permanent defect of reason or mind, congenital or acquired-

- (a) is incapable of managing himself or his affairs; or
- (b) is a danger to himself or others; or
- (c) is unable to conform to the ordinary usages of the society in which he moves; or
- (d) requires supervision, treatment or control; or

*See section 56 of the Medical and Allied Professions Act (Cap. 297)

- (e) (if a child) appears by reason of such defect to be incapable of receiving proper benefit from the instruction in ordinary schools;

"officer" means an Administrative Officer, a police officer, a district messenger or any person or class of persons prescribed;

"patient" means a person-

- (a) concerning whom proceedings are considered necessary to determine whether or not he is suffering from mental disorder or defect; or
- (b) who has been found to be a mentally disordered or defective person;

"permit" means a permit issued under section *twenty-one*;

"Registrar" includes the Registrar, a deputy registrar, a district registrar, or an assistant registrar of the High Court;

"subordinate court" means a subordinate court of the first or second class;

"superintendent" means the officer or person in charge of an institution or other place, and includes a medical superintendent.

(As amended by No. 50 of 1963, G.N. No. 159 of 1964,
S.I. No. 163 of 1965 and No. 69 of 1965)

3. In addition to the persons in respect of whom provision is made herein, this Act shall apply to every person who is, at the commencement of this Act, subject to an adjudication order.

Application of Act to persons detained under previous written laws

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4. Every warrant or order for the removal or detention of any such person as is mentioned in the last preceding section, issued prior to such commencement, and in force at such commencement, shall be deemed to have been lawfully issued and shall remain in force until set aside or varied under this Act.

Application of Act to warrants issued under previous written laws

5. For the purposes of this Act and all proceedings thereunder, mentally disordered or defective persons may be divided into the following classes:

Classification of mentally disordered and defective persons

Class I.-A person suffering from mental disorder, that is to say, a person who owing to some form of mental disorder is incapable of managing himself or his affairs.

Class II.-A person mentally infirm, that is to say, a person who through mental infirmity arising from age or from its common disorders is incapable of managing himself or his affairs.

Class III.-An idiot, that is to say, a person in whose case there exists mental defectiveness of such a degree that he is unable to guard himself against common physical dangers.

Class IV.-An imbecile, that is to say, a person in whose case there exists mental defectiveness which, though not amounting to idiocy, is yet so pronounced that he is incapable of managing himself or his affairs, or, if he is a child, of being taught to do so.

Class V.-A feeble-minded person, that is to say, a person in whose case there exists mental defectiveness which, though not amounting to imbecility, is yet so pronounced that he requires care, supervision and control for his own protection or for the protection of others, or, if he is a child, appears by reason of such defectiveness to be permanently incapable of receiving proper benefit from the instruction in ordinary schools.

Class VI.-A moral imbecile, that is to say, a person who displays mental defectiveness coupled with strongly vicious or criminal propensities and who requires care, supervision and control for his own protection or for the protection of others.

PART II

PROCEEDINGS AND DETENTION

6. Subject to the exceptions expressly provided by this Act, no person shall be received or detained as a patient in an institution or other place except under the authority of a warrant or order of the ⁽²⁾Minister, a Judge or a magistrate in accordance with this Act the Criminal Procedure Code.

Authority for detention of patients
Cap. 88

* See S.I. No. 406 of 1965.

(As amended by G.N. No. 159 of 1964)

7. (1) A magistrate having jurisdiction, if satisfied upon information on oath that a person is apparently mentally disordered or defective and is-

Magistrate may order apprehension in certain cases

(a) dangerous to himself or to others; or

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(b) wandering at large and unable to take care of himself:

may by warrant require an officer to apprehend such person and bring him before the magistrate issuing such warrant.

(2) The magistrate before whom a person is brought in accordance with the provisions of this section shall forthwith institute an inquiry.

8. (1) An officer, if he has reason to believe that a person apparently mentally disordered or defective is-

Officer may apprehend without warrant in certain cases

(a) dangerous to himself or to others; or

*See S.I. No. 406 of 1965.

(b) wandering at large and unable to take care of himself;

and that it is necessary for the public safety or for the welfare of such person that, before other proceedings are taken under this Act, he should be placed under care and control forthwith, may, without warrant, apprehend and convey such person to any prescribed hospital, prison or other suitable place for observation, and the person in charge thereof shall receive and detain the persons so conveyed thereto:

Provided that such person shall not be conveyed to, or received in, a prison unless he cannot be otherwise controlled.

(2) Such officer and the person in charge of any hospital, prison or other place, who has received a patient in terms of this section, shall forthwith notify a magistrate of the admission of such patient.

(3) Upon receipt of notification as in subsection (2) provided, such magistrate shall forthwith institute an inquiry.

9. (1) Where a magistrate has instituted an inquiry, at any time prior to the completion of that inquiry he may order the person in whose charge the suspected person is to produce the suspected person at such time and place as may be set out in such order.

Inquiry into state of mind of patient

(2) For the purpose of this section the magistrate may, by warrant under his hand, authorise the apprehension of such person and his detention in a suitable place whether within or without the jurisdiction of such magistrate for a period not exceeding fourteen days.

(3) If the magistrate considers it necessary or advisable to adjourn the inquiry, he may from time to time authorise the further detention of such person for a reasonable time not exceeding fourteen days at any one time.

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(4) Where it appears to a magistrate by whom an inquiry has been commenced that, owing to circumstances to be entered on the record of the inquiry, it is expedient for the inquiry to be continued by another magistrate, he shall adjourn the inquiry and refer the record to such other magistrate, and such other magistrate shall thereupon, subject to any directions in that behalf which may be given by the High Court, and which the High Court is hereby empowered to give, continue the inquiry and conclude the same in accordance with the provisions of this Act.

10. The magistrate may, in his discretion, himself interrogate the patient at the patient's place of abode or elsewhere, and shall, whether or not he makes such interrogation, direct any two medical practitioners to examine the patient. Such medical practitioners shall each furnish a certificate in the prescribed form within fourteen days (or such further time as the magistrate directs) stating whether in the medical practitioners' opinion the patient is either-

Magistrate may interrogate patient and must obtain certificate

- (a) mentally normal; or
- (b) a mentally disordered or defective person. If the medical practitioner considers that the patient is mentally disordered or defective, he shall further state his opinion of the category as set out in section *five* into which the patient falls.

11. If, upon due consideration, the magistrate is satisfied that the patient is mentally disordered or defective and-

Adjudication order

- (a) is not under proper care, treatment or control; or
- (b) is cruelly treated or neglected by any relative or other person having the care or charge of such patient; or
- (c) is of suicidal tendency or is in any way dangerous to himself or others; or
- (d) has committed or attempted to commit any crime or offence or has acted in a manner offensive to public decency; or
- (e) is an inebriate, that is to say, a person who habitually drinks to excess, or who habitually uses any narcotic to excess; or
- (f) if the person having the care, treatment or control of the patient consents;

the magistrate shall adjudge the patient to be a mentally disordered or defective person, and shall sign an adjudication order to that effect in the prescribed form.

12. (1) When an inquiry is held and no adjudication order is made, the magistrate shall discharge the patient and revoke any warrant of detention and so inform any person in whose care the patient may have been detained.

Procedure when no adjudication order made

(2) On discharging the patient, the magistrate shall have power to take all necessary steps to assist the patient to return to the place from which he was brought or to his home and may defray from public funds all or part of the necessary expenses of such journey.

13. (1) After an adjudication order has been made, the magistrate shall make a control order, for the control, care or detention of the patient, specifying either that the patient be-

Control orders

- (a) detained in a prescribed place; or



Ministry of Health



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(b) handed over to the care and control of his friends or relatives, or to a chief or village headman.

(2) A control order shall be of effect even though the prescribed place, or the friend, relative, chief or village headman is not within the area over which the magistrate has jurisdiction.

(3) Before making a control order under paragraph (b) of subsection (1), the magistrate shall satisfy himself, by such means as he thinks fit, that such friend, relative, chief or village headman is a fit and proper person to exercise care and supervision over the patient.

(4) A control order may from time to time be varied by-

(a) the magistrate for the time being of the subordinate court which made the control order in the first instance; or

(b) a magistrate within whose jurisdiction the patient is at the time of the variation:

Provided that such magistrate shall not vary the control order unless it is impracticable for the order to be varied under paragraph (a);

if the magistrate is satisfied that such varied order is in the best interests of the patient.

(5) An adjudication order in force at the commencement of this Act may be varied by a control order under this section.

(As amended by No. 68 of 1965)

14. (1) Every patient in respect of whom an adjudication order and a control order is in force may be removed to a specified place outside Zambia by a warrant signed by the ⁽³⁾Minister. Removal out of Zambia

* Powers delegated to Director of Medical Services by S.I. No. 57 of 1964.

(2) Where any patient is removed from Zambia by virtue of the provisions of subsection (1), then-

(a) the adjudication order in respect of such patient shall continue in force until such order is discharged; and

(b) the control order in respect of such patient shall be suspended while the patient is absent from Zambia.

(As amended by G.N. No. 159 of 1964)

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15. Any patient in course of removal under a warrant signed by virtue of section *fourteen* shall be deemed to be lawfully detained. Detention during removal

16. (1) Any patient removed by virtue of a warrant signed under section *fourteen* shall remain in the place to which he has been removed until the Minister shall otherwise direct, or until the patient's release or discharge as in this section or, as the case may be, in section *twenty-two* is provided. Patient to remain in place to which removed

(2) A patient removed by virtue of a warrant signed under section *fourteen* who does not re-enter Zambia shall be released or discharged in the manner specified in subsections (3) and (4).

*Powers delegated to Director of Medical Services by S.I. No. 57 of 1964.

(3) If, in accordance with the law relating to mental disorders in force in the country to which the patient is removed by warrant signed under section *fourteen*, the patient is discharged from the institution in which he is detained in that country, the adjudicating magistrate shall, on receipt of a notice or a copy of the notice of discharge, grant the person discharged an order of discharge and shall furnish him with a certified copy thereof.

(4) On the grant by an adjudicating magistrate of an order of discharge referred to in subsection (3), any warrant, adjudication order or control order made previously in respect of the person discharged shall thereupon cease to have effect

(As amended by F.G.N. No. 90 of 1957
and G.N. No. 159 of 1964)

PART III

ESTATES

17. (1) There shall be vested in the High Court jurisdiction to administer and control the estates and property of patients, including the power to appoint committees and receivers, in substantial conformity with the law and practice for the time being in force in the High Court of Justice in England. High Court jurisdiction

(2) The Chief Justice may, by statutory instrument, make rules for the due administration and efficient working of this Part.

18. After making an adjudication order, the magistrate shall make an investigation into the estate of the patient and shall report to the Registrar in the prescribed form: Investigation into estate



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Provided that where it appears to the magistrate that, owing to circumstances to be entered on the record, it is expedient that such investigation be continued by another magistrate, he shall adjourn the investigation and refer the record to such other magistrate, and such other magistrate shall thereupon, subject to any directions in that behalf which may be issued by the High Court, and which the High Court is hereby empowered to give, continue the investigation and conclude the same.

(As amended by No. 22 of 1951)

19. (1) For the purposes of this Act, in default of any prescribed rules, the Registrar shall exercise all the powers and duties of the Master in Lunacy or of the Court of Protection in England, and the Administrator-General shall exercise all the powers and duties of the Official Solicitor, with regard to the estates and property of patients.

Powers of Registrar and Administrator-General

(2) For the purposes of this Act, the Administrator-General shall have and exercise all the privileges, duties and powers conferred on him by the Administrator-General's Act.

Cap. 58

(3) In default of any rules made by the Chief Justice, such powers and duties referred to in subsection (1) shall be exercised in substantial conformity with the law and practice for the time being observed in the High Court of Justice in England.

(4) The Registrar or Administrator-General may depute any person by name, or the person for the time being holding a specified office, to exercise such powers or perform such duties on his behalf, subject to such conditions, exceptions and qualifications as the Chief Justice may prescribe. Thereupon or from the date specified by the Registrar or the Administrator-General, the person so deputed shall have and exercise such powers and perform such duties as he may think necessary.

PART IV

DISCHARGE

20. (1) Where an adjudication order has been made and any two medical practitioners have each issued a certificate of sanity in the prescribed form, a magistrate shall grant the patient an order of discharge in the prescribed form and furnish him with a certified copy thereof.

Discharge on certificate of sanity

(2) On receipt of such order, the person in whose control the patient is shall discharge him in accordance with such order.

(3) Where such an order is granted, any adjudication order, control order or permit under section *twenty-one* made previously with respect to that patient shall thereupon cease to have effect.

21. (1) A magistrate may, on being satisfied that-

Conditional release permit

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- (a) it is in the interest of the patient so to do; and
- (b) there is no likelihood of danger to the public;

grant a permit in the prescribed form to any patient in respect of whom an adjudication order and control order is in force, to be at large on trial for such period not exceeding twelve months and subject to such conditions as the magistrate thinks fit. During such period, any control order in respect of the patient shall be deemed to be suspended. It shall be a condition of such permit that the patient shall report at specified periods to a specified magistrate or to the magistrate of a specified court. A copy of such permit shall be given to the patient and another copy shall be sent by the magistrate granting such permit to the magistrate to whom the patient is required to report.

(2) Such permit may be extended (subject to subsection (3)), revoked or varied by the magistrate by whom it was made or by any magistrate to whom the patient is required to report.

(3) An adjudication order and a control order in respect of a patient who has been at large for a continuous period of twelve months under a permit made by virtue of this section shall no longer be in force. Thereupon the patient shall be deemed to be discharged, and may, on application to the Registrar, obtain a declaration to that effect.

22. (1) A patient who has been removed from Zambia by virtue of a warrant issued under section *fourteen* shall, on re-entering Zambia, report within twenty-four hours to the District Secretary at the place of re entry into Zambia.

Re-entry into Zambia of patient removed by warrant

(2) Such District Secretary shall forthwith-

- (a) convey the patient to a hospital and give him into the care of the superintendent of such hospital; and
- (b) notify a magistrate in writing that he has done so.

(3) Such magistrate shall thereupon order two medical practitioners, one at least of whom shall be a Government Medical Officer, to examine the patient, and report to the magistrate.

(4) For the purpose of such examination, the magistrate may exercise the powers conferred by subsections (1), (2) and (3) of section *nine*.

(5) On receipt of such reports the magistrate shall hold an inquiry and shall either-

- (a) discharge the patient in accordance with the provisions of section *twenty*; or

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- (b) grant a permit in accordance with section *twenty-one*; or
- (c) vary the control order in accordance with subsection (4) of section *thirteen*.

(6) Notwithstanding the provisions of subsections (2), (3), (4) and (5), if the District Secretary to whom a patient has reported in accordance with subsection (1) is satisfied that a certificate of discharge in the prescribed form has been issued within the past fourteen days to the patient by the superintendent of the institution in which the patient has been confined, such District Secretary shall forthwith grant the patient an order of discharge in the prescribed form and furnish him with a certified copy thereof.

(As amended by No. 50 of 1963)

23. Any person who was-

Patients discharged in Southern Rhodesia

- (a) adjudicated a lunatic under the provisions of the Lunacy Act, Chapter 28 of the 1950 Edition of the Laws;
- (b) removed from Zambia and confined in the Ingutsheni Mental Hospital of Southern Rhodesia; and
- (c) discharged, before the commencement of this Act, from such hospital in accordance with the law for the time being in force in Southern Rhodesia;

shall be deemed to have been granted, at the date of such discharge, an order of discharge under the provisions of the Lunacy Act, Chapter 28 of the 1950 Edition of the Laws:

Provided that this section shall not apply to persons who have been confined in accordance with the provisions of the Criminal Procedure Code. Cap. 88

(No. 22 of 1951)

PART V

MISCELLANEOUS

24. (1) If an application for an order or an order is found to be in any respect incorrect or deficient, the magistrate who made it, or his successor in office, or a magistrate lawfully acting for him or for his successor, may permit the application to be amended, or may, as the case may be, amend the order. Amendment of orders and certificates

(2) If a medical certificate given under this Act is found, in respect of any matter not dealing with the patient's mental condition, to be incorrect or deficient, the certifying medical practitioner may, with the consent of a magistrate, amend such certificate.



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(3) Every application, order or certificate amended under this section shall take effect as if the amendment had been contained therein when it was originally issued and signed, as the case may be.

25. Every person shall be guilty of an offence if he-

False statements, entries and wilful obstruction

- (a) makes any wilful misstatement of any material fact in any report, certificate, statement or document made in pursuance of this Act;
- (b) makes a wilful misstatement of any material fact in any medical certificate, recommendation or other certificate or in any statement or report of bodily or mental condition under this Act;
- (c) wilfully obstructs any magistrate, medical practitioner, officer or other person specifically or generally authorised under this Act or under any order of the Court or of a magistrate in the exercise of any of the powers conferred by this Act.

26. Any person who wilfully assists or permits or connives at the escape or attempted escape of any patient, or who secretes or harbours a patient who has escaped, shall be guilty of an offence.

Conniving at escape of patient

27. Any patient who has been removed from Zambia by virtue of a warrant issued under section *fourteen* and who shall, on re-entering Zambia, fail to report as provided by section *twenty-two*, shall be guilty of an offence.

Failure to report on re-entering Zambia

28. Any person who fails to comply with any order or carry out any conditions contained in an order shall be guilty of an offence.

Failure to comply with order

29. (1) Any person who commits an offence against this Act in respect of which no penalty is by this Act expressly provided shall be liable to a fine not exceeding six hundred penalty units or to imprisonment for a period not exceeding three months, or to both

Penalties

(2) Any person who is guilty of any act or omission which is declared to be an offence under sections *twenty-five* to *twenty-eight* inclusive shall be liable to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding six months, or to both

(As amended by Act No. 13 of 1994)

30. An appeal shall lie to the High Court against any order made by a magistrate under this Act at the suit of any person aggrieved by such order, in accordance with the practice and procedure for the time being in force for criminal appeals from the subordinate courts to the High Court.

Appeals

31. Nothing in this Act contained shall prevent any husband, wife or other relative of any person alleged to be mentally disordered or defective, or any friend of such person who has no husband, wife or near relative at or near the place where such person is residing, from applying by petition directly to the Court for an inquiry into such person's mental condition, and the Court may make such order as it thinks fit.

Husband, wife or relative may apply to Court for inquiry



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32. (1) Where a person has done anything in pursuance or in intended pursuance of any of the provisions of this Act, he shall not be liable to any civil or criminal proceedings, whether on the ground of want of jurisdiction or on any other ground, unless he has acted in bad faith or without reasonable care.

Limitations of actions by patients

(2) In any proceedings taken against any such person for any such act, the burden of proving that he has acted in bad faith or without reasonable care shall lie upon the person bringing the proceedings.

(3) No proceedings, civil or criminal, shall be brought against any such person for any such act in any court without the leave of the Court, and such leave shall not be given unless the Court is satisfied that there is substantial ground for the contention that the person against whom it is sought to bring the proceedings has acted in bad faith or without reasonable care.

(4) Notice of any application under subsection (3) shall be given to the person against whom it is sought to bring the proceedings and that person shall be entitled to be heard against this application.

(5) No such proceedings shall be commenced after the expiration of three months from the date of the act complained of, or, in the case of the continuance of injury or damage, after the expiration of three months from the date of the cessation thereof:

Provided that in estimating the said period of three months, no account shall be taken of any time or times during which the person alleged to be injured was under detention, lawfully or unlawfully, as a mentally disordered or defective person or was ignorant of the facts which constitute the cause of action.

(6) Nothing in this section shall be construed as depriving any person of any defence which he would have independently of this section.

(7) No proceedings shall be taken against any person on the ground merely that any mentally disordered or defective person was certified or detained as belonging to any one class instead of another class.

33. The record of every proceeding under this Act before a magistrate and a certified copy thereof shall be transmitted with all convenient despatch to the Court, and the magistrate shall at the same time transmit a certified copy to the Director of Public Prosecutions.

Return of records to Court

(As amended by S.I. No. 163 of 1965)

34. (1) A magistrate, in his discretion, may hold an inquiry in a room or place other than that in which the subordinate court normally sits.

Place of admittance to and powers of hearing



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(2) At an inquiry no person other than the members and officers of a subordinate court, the parties to the inquiry, their solicitors and counsel and other persons directly concerned in the inquiry, shall, except by leave of the magistrate, be allowed to attend.

(3) When conducting proceedings under this Act, a magistrate may exercise all the powers and authority vested in him by virtue of his office of magistrate.

35. (1) When any person is detained under the provisions of this Act in any place, the maintenance and other costs and expenses of such person shall, until further provision therefor is made, be defrayed out of the general revenues of the Republic. Cost of maintenance of patients

(2) The cost of his maintenance and all other sums so paid may be recovered from the estate of any such detained person or from any person or persons liable by law to contribute towards the maintenance of such detained person.

(As amended by S.I. No. 163 of 1965)

36. Every medical certificate or report made under and for the purposes of this Act shall be *prima facie* evidence of the facts stated so far as they are within the knowledge of the person giving the certificate or making the report, and shall be evidence also of the opinion therein expressed by the certifying medical practitioner on such facts to the same extent as if the matter therein appearing had been verified on oath. Medical certificates evidence of certain facts

37. Every person detained under the provisions of this Act may be visited at any reasonable time by any person specially or generally authorised in writing by a Judge or magistrate. Visitation of patients

38. Whenever in any written law any reference to a lunatic or to lunacy or to an asylum is contained, that reference shall be read and construed as a reference to a patient or to a mentally disordered or defective person within the meaning of this Act, or, as the case may be, to mental disorder or defect or to a mental hospital. Reference in written laws to lunatics

39. (1) The Minister may, by statutory instrument, make regulations for the due administration and efficient working of this Act. Regulations

(2) Without prejudice to the generality of the foregoing, the Minister may make regulations concerning-

(a) the discharge of patients on recovery, or on application of relatives or friends, or on probation;

(b) the removal or transfer of patients from one institution or place to another institution or place, including the temporary transfer of patients to a specified place for such periods as may be deemed expedient;

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- (c) the terms of payment and accommodation for paying patients in any place;
- (d) the visitation of institutions or other places where patients are detained;
- (e) the forms which shall be used for the purposes of this Act;
- (f) mechanical means of restraint;
- (g) the utilisation of the voluntary services of charitable societies for the welfare of patients, whether during the period of their detention and treatment or after discharge on probation or otherwise;
- (h) the method and procedure by which any control order is to be carried out;
- (i) the payment of fees, allowances and expenses to witnesses and medical practitioners;
- (j) the prescribing of anything to be prescribed under this Act; and
- (k) the types of treatment to be given and consents necessary to be obtained before such treatments are carried out.

(As amended by No. 50 of 1963 and G.N. No. 159 of 1964)

SUBSIDIARY LEGISLATION

MENTAL DISORDERS

SECTION 39-THE MENTAL DISORDERS REGULATIONS

Regulations by the Minister

Government Notices
320 of 1950
58 of 1951
75 of 1951
*Federal Government
Notice*
424 of 1961
*Act 50 of 1963
Statutory Instruments*
163 of 1965
316 of 1967

1. These Regulations may be cited as the Mental Disorders Regulations.

Title

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2. The following mental hospitals or other places shall be institutions or places under section *two* of the Act for the reception, treatment, or detention of two or more persons suffering from any mental disorder or defect: Institution

- (a) Livingstone General Hospital;
- (b) The Government Prison, Livingstone;
- (c) Lewanika District Hospital, Mongu;
- (d) Lusaka Mental Hospital;
- (e) Ndola General Hospital;
- (f) Matero Rehabilitation Hostel, Lusaka.

(F.G.N. No. 424 of 1961 as amended by No. 163 of 1965
and No. 316 of 1967)

3. The following hospitals, prisons and places have been prescribed as suitable for observation under section *eight* of the Act: Hospitals, prison, etc., for observation

- (a) all hospitals administered by the Government;
- (b) the Central Prisons at Chipata, Kabwe, Kasama, Livingstone, Lusaka and Mongu; and
- (c) all other prisons situated in places where a Government Medical Officer is stationed.

(As amended by Act No. 50 of 1963)

4. The following places have been prescribed under section *thirteen* of the Act as places in which a control order may specify that a patient be detained: Places of detention
Cap. 97

- (a) all hospitals administered by the Government; and
- (b) all places declared to be prisons under section *three* of the Prisons Act.

(No. 75 of 1951 as amended by Act No. 50 of 1963)

5. The forms set out in Schedule have been prescribed for use under the appropriate sections of the Act. Prescribed forms

SCHEDULE

(Regulation 5)

PRESCRIBED FORMS



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The Mental Disorders Act

FORM 1
(Section 10)

MEDICAL CERTIFICATE

Part 1 (To be completed in all cases)

I, the undersigned (full names)
 being a registered medical practitioner residing at
 do hereby certify that on the
 day of 19
 at I personally examined (full names)
 a* Of
 (address)
 and am of the opinion that is
 a mentally disordered or defective person within the meaning of the above Act, and as such requires care, treatment or
 control,** or is a mentally normal person.

Part II (To be completed only if in your opinion the said person is mentally disordered or defective)

1. The following are the facts observed by me on the occasion of the examination aforesaid, on which my opinion is based:

2. I make this further statement with respect to the said person-

(a) The following facts, indicating mental disorder or defect on the part of the said person, have been observed by me on occasions other than the date of examination aforesaid (set out date or approximate date of observation and facts observed)

(b) The following facts concerning the said person, indicating mental defect, have been communicated to me by (set out facts communicated by other persons, together with the names and addresses of such persons):

(c) In my opinion the said person may be properly classified as being mentally disordered or mentally infirm, or an idiot, or an imbecile, or feeble-minded, or a moral imbecile.

(d) In my opinion the factors which have caused the mental disorder or defect of the said person are the following:

(e) In my opinion the said person is/is not homicidal.
is/is not suicidal.
is/is not dangerous.

If dangerous, in what way?

(f) The following treatment has been employed for the said person in respect of his mental condition (describe treatment, if any):

(g) The said person's present bodily health and condition are as follows (describe bodily condition, etc., with special reference to the presence or absence of communicable disease or recent injury):

Date Signature

*Give tribe, chief, village and District, where appropriate.
Strike out whichever is inapplicable.



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THE MENTAL DISORDERS ACT

FORM 2
(Section 11)

ADJUDICATION ORDER

Upon reading the certificate of and medical practitioners, upon interrogating* (hereinafter referred to as the patient) of and upon due consideration I am satisfied that the patient is mentally disordered or defective and-

- *(a) is not under proper care, treatment or control; or
- *(b) is cruelly treated or neglected by any relative or other person having the care or charge of such patient: or
- *(c) is of suicidal tendency or is in any way dangerous to himself or others; or
- *(d) has committed or attempted to commit any crime or offence or has acted in a manner offensive to public decency; or
- *(e) is an inebriate, that is to say, a person who habitually drinks to excess, or who habitually uses any narcotic to excess; or
- *(f) the person having the care, treatment or control of the patient consents;

and I accordingly adjudge the said patient to be a mentally disordered or defective person.

Date
Magistrate
The Subordinate Court of the
Class holden at

*Delete if inapplicable.



Ministry of Health



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THE MENTAL DISORDERS ACT

FORM 3
(Section 13)

CONTROL ORDER

Whereas by an Adjudication Order made by the Magistrate
Class sitting at on the day of
..... 19 of was adjudged
to be a mentally disordered or defective person, I hereby order that the said
be*

Date
.....
Magistrate
The Subordinate Court of the
Class holden at

*Set out particulars of order under section 13 (1) (a) or (b) of the Act.



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THE MENTAL DISORDERS ACT

FORM 4
(Section 18)

REPORT ON ESTATE TO REGISTRAR

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1. Full name of patient
2. Date and place of adjudication
3. Address of patient immediately prior to adjudication
4. Names of dependants, if any
5. Profession, trade or other occupation of patient: (If in partnership, give the name of the firm and the names of the other partners where known)
6. Absolute property owned by patient in Zambia:
 - (a) Cash in hand
 - (b) Cash at bank, including Post Office Savings Bank: (Show each bank separately if more than one, and state branch)
 - (c) Insurance policies: (State Company)
 - (d) Furniture and personal effects: (Give estimated total value, and show separately any especially valuable item, e.g., jewellery)
 - (e) Securities: (Give holdings in different companies separately, if possible)
 - (f) Freehold property
 - (g) Leasehold property
 - (h) Livestock
 - (i) Crops
 - (j) Motor vehicles or tractors (except where stock-in-trade of a dealer)
 - (k) Stock-in-trade if in business on own account
 - (l) Share in any partnership: (Give partnership separately if more than one)
 - (m) Share in any co-operative society or building society
 - (n) Pension or annuity
 - (o) Salary or wages (if continuing after adjudication)
 - (p) Debts owed to the patient
 - (q) Any other absolute property
7. Absolute property owned by the patient outside Zambia: (Itemise separately as in 6 above)
8. Life interests in property enjoyed by the patient
9. Reversionary interests in property owned by the patient
10. Property held on trust for any other person
11. Approximate total capital value of estate
12. Approximate present income of patient
13. Patient's liabilities:
 - (a) Continuing:
 - (i) Rent
 - (ii) Rates
 - (iii) Wages to staff
 - (iv) Insurance premiums
 - (v) Sums payable as maintenance or alimony under any Order of Court or Separation Deed
 - (vi) Any other continuing commitment.....
 - (b) Debts (other than further payments on continuing commitments)

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THE MENTAL DISORDERS ACT

FORM 5
(Section 20)

MEDICAL CERTIFICATE OF SANITY

I (full name in block capitals)
of (address),
a registered medical practitioner, hereby certify that I have this day personally examined
.....and after due inquiry into all the necessary facts relating to his case I
certify that he is now of sufficiently sound mind to be a proper person to be discharged from the adjudication order to
which he is subject.

Date
Signature



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THE MENTAL DISORDERS ACT

FORM 6
(Section 20)

ORDER OF DISCHARGE

To the Superintendent:

WHEREAS (hereinafter called the patient)
of has been adjudged to be a
mentally disordered or defective person, and by a control order dated the day of
..... 19 ordered to be

AND WHEREAS two medical practitioners have each issued a Certificate of Sanity in the prescribed form in respect of
the patient.

NOW THEREFORE I grant the patient this Order of Discharge and direct you to discharge him from your control.

Date

Magistrate

The Subordinate Court of the
Class holden at



Ministry of Health



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THE MENTAL DISORDERS ACT

FORM 7
(Section 21)

CONDITIONAL RELEASE PERMIT

WHEREAS (hereinafter called the patient)
was on the day of 19 adjudged to be a
mentally disordered or defective person.

AND WHEREAS after due consideration of the evidence before me I am satisfied that-

- (a) it is in the best interest of the patient so to do; and
- (b) there is no likelihood of danger to the public.

NOW THEREFORE I grant to the patient permission to be at large on trial for the period of
months from the date hereof.

It shall be a condition of this Permit that the patient shall report to the.....
Magistrate at intervals of The following
conditions shall also be observed by the patient:

.....
.....
.....

Date

Magistrate

The Subordinate Court of the
Class holden at

NOTE.-One copy hereof to be given to the patient and one copy to be sent to the Magistrate to whom the patient is to
report.



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THE MENTAL DISORDERS ACT

FORM 8
(Section 22 (6))

CERTIFICATE OF DISCHARGE

I Superintendent of
..... (institution) hereby certify
that (patient) not
being a criminal patient, is fit to be discharged, and in accordance with the powers vested in me by the law of the country
in which the above-named institution is situate, I hereby discharge him.

Date
.....
Signature

Copy to be sent to the Director of Public Prosecutions, Lusaka, and the District Secretary, Livingstone.

(As amended by No. 163 of 1965)



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THE MENTAL DISORDERS ACT

FORM 9
(Section 22 (6))

ORDER OF DISCHARGE

WHEREAS (hereinafter called the patient) of has been adjudged to be a mentally disordered or defective person, and by a control order dated the day of 19 ordered to be

AND WHEREAS the patient was removed from Zambia by virtue of a warrant issued under section 14 of the Mental Disorders Act.

AND WHEREAS I am satisfied that the patient is a person to whom the provisions of section 22 of such Act apply and there having been produced to me a certificate of discharge in respect of the patient:

I hereby grant the patient this order of discharge.

Date
District Secretary
..... District

NOTE.-The patient shall be furnished with a certified copy of this order. (Copy to be sent to the Director of Medical Services.)

(No. 58 of 1951)



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CHAPTER 308 THE NATIONAL FOOD AND NUTRITION COMMISSION ACT

THE NATIONAL FOOD AND NUTRITION COMMISSION ACT

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Establishment of National Food and Nutrition Commission
4. Membership of Commission
5. Vacation of office by members
6. Procedure of Commission
7. Special committees
8. Funds of Commission
9. Accounts, audit and reports
10. Miscellaneous administrative provisions
11. Minister may give directions to Commission
12. Nutrition Groups.

SCHEDULE-Objects of Commission

CHAPTER 308

NATIONAL FOOD AND NUTRITION COMMISSION

41 of 1967
23 of 1975

An Act to establish a body corporate to be known as the National Food and Nutrition Commission; to provide for its membership; to specify its functions; and to provide for matters incidental thereto.

1. This Act may be cited as the National Food and Nutrition Commission Act. Short title
2. In this Act, unless the context otherwise requires- Interpretation

"Commission" means the National Food and Nutrition Commission established under section *three*;

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"member" means a member of the Commission.

"Nutrition Group" means a voluntary, nonprofit-making organisation concerned with combatting malnutrition, the constitution whereof has been approved by the Commission.

(As amended by Act No. 23 of 1975)

3. (1) There is hereby established a National Food and Nutrition Commission which shall have the powers and duties prescribed in this Act.

Establishment of National Food and Nutrition Commission

(2) The objects of the Commission shall be those set out in the Schedule.

(3) The Commission shall be a body corporate to be known as the National Food and Nutrition Commission with perpetual succession and a common seal, with powers to sue and be sued under its corporate name, to enter into contracts, to acquire, purchase and hold all land and personal property whatsoever, whether situate in the Republic or elsewhere, and to grant, devise, let, alienate, sell, mortgage, charge or otherwise dispose of the same and to do all such acts and things as bodies corporate may by law do and as are incidental or appertain to a body corporate.

(4) Without prejudice to the generality of the foregoing, the Commission may-

- (a) receive such sums of money by way of grant or donation or in any other way from any source and expend and invest such sums as it may deem expedient;
- (b) subject to the approval of the Minister responsible for finance, borrow by way of loan or otherwise, such sums as it may require to meet or discharge its obligations;
- (c) with the approval of the Minister, employ a secretary and such other staff as appears to the Commission to be necessary, on such terms and conditions as the Commission may determine.

4. (1) The Commission shall consist of five members appointed by the Minister of whom one shall be designated by the Minister as chairman.

Membership of Commission

(2) The Commission may exercise its powers and duties notwithstanding any vacancy in its number.

(3) A member shall, subject to the provisions of this Act, hold office for two years.

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(4) A retiring member shall be eligible for reappointment.

(5) On the expiration 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.

(6) A member shall-

(a) hold office on such conditions; and

(b) be paid out of the funds of the Commission such remuneration and allowances; as the Minister may, after consultation with the Minister responsible for finance, in his case, fix.

5. (1) The office of a member shall be vacated-

Vacation of office by members

(a) upon his death; and

(b) if he is absent from two consecutive meetings of the Commission, of which he has had notice, without the permission of the chairman; or

(c) upon the expiry of one month's notice in writing of his intention to resign his office given by him to the Minister; or

(d) if, in the opinion of the Minister, he is mentally or physically incapable of performing his duties as a member; or

(e) if, in the opinion of the Minister, he is guilty of improper conduct and is so notified by the Minister; or

(f) if he is adjudged bankrupt.

(2) When a member's office is vacated, the Minister shall appoint a person to fill the vacancy until the expiration of the period during which such member would, but for the vacation of his office, have continued in office.

(3) Whenever there are three or more vacancies on the Commission, the Minister may perform all the functions of the Commission until such time as sufficient vacancies have been filled to enable a quorum of the Commission to be formed.

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6. (1) Subject to the provisions of this Act, the Commission may determine its own procedure. Procedure of Commission

(2) The Commission shall meet at such times and places as may be necessary or expedient for the transaction of business and such meetings shall be held at such times and places and on such dates as the Commission may determine:

Provided that the chairman may at any time call a meeting of the Commission and shall do so on the request in writing made to him in that behalf by any two members.

(3) Three of the members shall be a quorum at any meeting of the Commission.

(4) If the chairman is for any reason absent from any meeting of the Commission, the members present may elect one of their number to preside at such meeting.

(5) Any matter for decision by the Commission shall be determined by a majority of the members present and voting and, where there is an equality of votes, the chairman or the member presiding shall have a casting vote in addition to his deliberative vote.

7. (1) The Commission may appoint special committees of experts to advise it on any specified matter. Special committees

(2) Members may be appointed to special committees who are not members of the Commission and whose names do not appear on the panel of experts established by the Minister.

(3) There may be paid to a member of a special committee by the Commission such fees and allowances as the Minister, after consultation with the Minister responsible for finance, may, in his case, fix.

(4) The Minister may establish a panel of experts from which the Commission may appoint the members of any special committee.

8. The funds of the Commission shall consist of- Funds of Commission

- (a) such moneys as may be payable to the Commission from moneys appropriated by Parliament; and
- (b) such moneys or assets which may vest in or accrue to the Commission from other sources.

9. (1) The Commission shall cause to be kept proper books of account which shall be audited annually by auditors approved by the Minister responsible for finance. Accounts, audit and reports

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(2) The financial year of the Commission shall be the calendar year.

(3) The Commission shall as soon as may be, and in any case not later than six months after the end of each financial year, prepare a report for the past financial year.

(4) The report required by subsection (3) shall, together with a certified copy of the accounts of the Commission as audited and the annual report of the auditors, be laid before the National Assembly.

10. (1) The seal of the Commission shall be such as may be determined by the Commission, and the fixing of the seal shall be authenticated by the signatures of any two members.

Miscellaneous
administrative provisions

(2) Any document purporting to be a document executed under the seal of the Commission authenticated as aforesaid shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

(3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Commission by any person generally or specially authorised by the Commission to do so.

(4) No stamp duty, transfer duty or other duty or registration fees shall be payable in respect of any transfer of property to the Commission.

(5) The validity of any proceedings, act or decision of the Commission shall not be affected by any vacancy in the membership of the Commission 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.

11. (1) The Minister may give to the Commission such general or special directions with respect to the exercise of the powers and duties of the Commission as the Minister may consider necessary and the Commission shall comply with all such directions.

Minister may give
directions to Commission

(2) The Commission shall make regular reports to the Minister on the progress of the national food and nutrition programme.

12. (1) The Commission shall keep and maintain in such form as may be prescribed, a register wherein shall be registered, all Nutrition Groups formed in Zambia.

Nutrition Groups



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(2) Every Nutrition Group shall operate in accordance with the directions of the Commission, which shall oversee and guide their activities, and submit a report relating thereto to the Minister, as and when it thinks it desirable, or it is required by the Minister to do so.

(3) A Nutrition Group shall not receive or request for any contribution, financial aid or other assistance from any source within or outside Zambia, except through or with the approval in writing of the Commission.

(4) Any contribution, financial aid or other assistance received by or through the Commission for purposes of Nutrition Groups shall be acknowledged by the Commission by means of an official receipt or acknowledgment in writing.

(5) The Commission may, at any time, with the approval of the Minister, dissolve any Nutrition Group, without assigning any reason therefor, and when any Nutrition Group is dissolved, its name shall be struck off the register kept and maintained under subsection (1).

(6) For carrying into effect the provisions of this section the Minister may, by statutory instrument, make regulations.

(As amended Act No. 23 of 1995)

SCHEDULE

(Section 3 (2))

OBJECTS OF COMMISSION



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- (a) To reduce mortality due directly or indirectly to malnutrition in children focus public attention on the nutritional needs of children and youth.
- (b) To improve the nutritional status of vulnerable groups (mothers, infants, school and pre-school children).
- (c) To create community interest in better nutrition, to arouse public awareness of the serious impact of malnutrition and to instil public confidence in the solutions to the problems.
- (d) To reduce the incidence of malnutrition and under-nutrition by providing enough highly nourishing food, at all seasons of the year, to ensure a long, healthy life and diets conducive to maximum intelligence and mental health.
- (e) To make provision in relation to nutrition for the rapidly growing population.
- (f) To ensure adequacy of diets in institutions.
- (g) To provide food consumption and nutrition data on a representative national scale.
- (h) To incorporate the concept of improvement of nutrition in food and agricultural development planning.
- (i) To take all necessary steps to facilitate the implementation of Government's approved policy in relation to the national food and nutrition programme.
- (j) To collate all information already available regarding food and nutrition in Zambia.
- (k) To assist in the co-ordination of training in food and nutrition at professional, supervisory and field levels.
- (l) To initiate studies relating to food and nutrition, especially those relating to children and youth, and make recommendations on solutions to these problems.
- (m) To arrange for execution of work, either directly or through agencies, in relation to subjects relating to food and nutrition which are not part of any ministerial portfolio.
- (n) To establish a nutrition library.
- (o) To maintain statistical records of national nutrition.
- (p) To stimulate public relation activities in relation to the National Food and Nutrition Programme and, in particular, to focus public attention on the nutritional needs of children and youth.
- (q) To liaise with International Agencies and friendly Governments regarding aid to the programme subject to the Government's procedures laid down in this connection.

REPUBLIC OF ZAMBIA



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GOVERNMENT OF ZAMBIA

ACT

No. 10 of 2002

Date of Assent: 31st December, 2002

An Act to establish the National HIV/AIDS/STI/TB Council, define its functions and provide for its composition; to constitute the Secretariat of the Council, define its functions and provide for its composition; and to provide for matters connected with or incidental to the foregoing.

[31st December, 2002

ENACTED by the Parliament of Zambia.

Enactment

**PART 1
PRELIMINARY**

1. This Act may be cited as the National HIV/AIDS/STI/TB Council Act, 2002 and shall come into operation on such date as the Minister may, by statutory instrument, appoint.

Short title and commencement

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

Interpretation

“appointed date” means the date appointed by the Minister under section *one*;

“AIDS” means Acquired Immune Deficiency Syndrome;

“committee” means a committee of the Council constituted under section *nine*;

“Council” means the National HIV/AIDS/STI/TB Council established under section *three*;

“Director-General” means the person appointed Director-General of the Council under section *fourteen*;

“HIV” means Human Immune Deficiency Virus;

“Member” means a person appointed member of the Council under section *five*;

“STI” means Sexually Transmitted Infections;

“TB” means tuberculosis;



Ministry of Health



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Unlocking Zambia's Potential

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“ secretariat ” means the Secretariat of the Council constituted under section *thirteen*; and

Cap. 287

“ traditional leader ” means a person appointed Chief under the Chiefs Act.

PART II

THE NATIONAL HIV/AIDS/STI/TB COUNCIL

Establishment
of Council

3. There is hereby established the National HIV/AIDS/STI/TB 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 this Act, to do all such acts and things as a body corporate may by law do or perform.

Functions of
Council

4. (1) The functions of the Council shall be to coordinate and support the development, monitoring and evaluation of the multi-sectoral national response for the prevention and combating of the spread of HIV, AIDS, STI and TB in order to reduce the personal, social and economic impacts of HIV, AIDS, STI and TB.

(2) Without prejudice to the generality of subsection (1) the functions of the Council shall be to—

- (a) support the development and coordination of policies, plans and strategies for the prevention and combating of HIV, AIDS, STI and TB for health and other institutions concerned with the prevention and combating of HIV, AIDS, STI and TB;
- (b) advise the Government, health institutions and other organisations on the policies, strategies and plans to prevent and combat HIV, AIDS, STI and TB;
- (c) ensure the provision and dissemination of information and education on HIV, AIDS, STI and TB;
- (d) develop a national HIV, AIDS, STI and TB research agenda and strategic plan which shall include the quest for a cure for HIV, AIDS as one of the research priorities;
- (e) support programmes relating to prevention, care, and treatment of HIV, AIDS, STI and TB;
- (f) mobilise resources to promote and support identified priority interventions including research in areas related to HIV, AIDS, STI and TB;
- (g) provide technical support and guidelines to health and other institutions involved in the—



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*National HIV/AIDS/STI/TB
Council*

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- (i) prevention and treatment of HIV, AIDS, STI and TB; and
 - (ii) care and support of persons infected with or affected by HIV, AIDS, STI and TB;
 - (h) collaborate with other research institutions in relation to HIV, AIDS, STI and TB; and
 - (i) undertake such other activities as are conducive or incidental to its functions under this Act.
5. (1) The Council shall consist of the following members appointed by the Minister: Composition of Council
- (a) Permanent Secretaries in the Ministries responsible for—
 - (i) community development and social welfare;
 - (ii) education;
 - (iii) health;
 - (iv) sport, youth and child development;
 - (b) a representative nominated by each of the following organisations or bodies, as the case may be:
 - (i) Network of Zambian People Living with HIV and AIDS;
 - (ii) Zambia Network of Non-governmental Organisations on HIV and AIDS;
 - (iii) Forum for Youth Organisations;
 - (iv) religious organisations;
 - (v) General Nursing Council;
 - (vi) Medical Council of Zambia;
 - (c) a representative of the Attorney-General;
 - (d) a representative of the media sector;
 - (e) a representative of a traditional healers' association; and
 - (f) two persons from amongst members of the public.



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Unlocking Zambia's Potential

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National HIV/AIDS/STI/TP
Council

(2) In appointing or nominating persons to the Council the nominating or appointing authority shall take into account the need for gender balance, age and geographical representation on the Council.

(3) The Chairperson shall be appointed by the Minister from amongst the members referred to in subsection (1) and the Vice Chairperson shall be elected by the members from amongst themselves.

Tenure of
office of
members

6. (1) A member referred to in subsection (1) of section *five* shall hold office for a period of three years from the date of appointment and shall be eligible for reappointment for a further period of three years.

(2) A member referred to in subsection (1) may resign upon giving one month's notice in writing to the organisation which nominated the member and to the Minister.

(3) The office of a member shall become vacant—

- (a) upon the death of a member;
- (b) if the member is absent without reasonable excuse from three consecutive meetings of the Council of which the member has had notice;
- (c) on member ceasing to hold office by virtue of which the member was appointed;
- (d) if the member resigns under subsection (2);
- (e) if the member is convicted of a criminal offence and sentenced to imprisonment for a period exceeding six months; or
- (f) if a member is declared bankrupt.

Filling of
casual
vacancy

7. Whenever the office of a member becomes vacant before the expiry of the term of office, the Minister may appoint another member in place of the member who vacates the office; but that member shall hold office only for the unexpired part of the term.



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8. (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 in every three months at such places and at times as the Chairperson may decide.

(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 one third of the 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) The quorum at any meeting of the Council shall be eight members.

(5) There shall preside at any meeting of the Council—

(a) the Chairperson;

(b) in the absence of the Chairperson, the Vice-Chairperson;

or

(c) in the absence of the Chairperson, and Vice-Chairperson, such member as the members present may elect from amongst themselves 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 that person's deliberative vote.

(7) Where a member referred to in paragraphs (c), (d) and (e) of subsection (1) of section five is for any reasonable cause unable to attend any meeting of the Council, the member may, in writing, nominate another suitable officer from among the members to attend such meeting and such person shall be deemed to be a member for the purpose of such meeting.

(8) The Council may invite any person whose presence is in its opinion desirable to attend and to participate in the deliberations of a meeting of the Council, but such person shall have no vote.



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Council*

(9) 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.

(10) The Council shall cause minutes to be kept of the proceedings of every meeting of the Council and every meeting of any committee established by the Council.

Committees
of Council

9. (1) The Council may, for the purpose of performing its functions under this Act establish committees and delegate to any such committee any of its functions as it thinks fit.

(2) The Council may appoint as members of a committee established under subsection (1) persons who are or are not members of the Council and such persons shall hold office for such periods as the Council may determine.

(3) A committee of the Council may invite any person whose presence is in its opinion desirable, to attend and to participate in the deliberations of a meeting of the committee, but such person shall have no vote.

(4) Subject to any specific or general direction of the Council, any committee established under subsection (1) may regulate its own procedure.

Allowances
of members

10. The members and members of committees of the Council shall be paid such allowances as the Council may with the approval of the Minister, determine.

Disclosure of
interest

11. (1) If a member or 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 the member or person or member's spouse or person's spouse is directly or indirectly interested in a private capacity, the member or person shall, as soon as is practicable after the commencement of the meeting, disclose such interest and shall not unless the Council or committee otherwise directs, take part in any consideration or discussion of, or vote on, any question touching such matter.

(2) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which it is made.



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12. (1) A person shall not, without the consent in writing given by or on behalf of the Council, publish or disclose to any unauthorised person, other than in the course of duties, the contents of any documents, communication or information whatsoever, which relates to, and which has come to the person's knowledge in the course of that person's duties under this Act.

Prohibition of publication or disclosure of information to unauthorised person

(2) Any person who contravenes the provision of subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding ten thousand penalty units or to imprisonment for a term not exceeding three months, or to both.

(3) If any person having any information which to that person's knowledge has been published or disclosed in contravention of subsection (1), unlawfully, publishes or communicates any such information to any other person, that person commits an offence and is liable, upon conviction, to a fine not exceeding ten thousand penalty units or to imprisonment for a term not exceeding three months or to both.

PART III SECRETARIAT

13. (1) There is hereby constituted the Secretariat of the Council which shall have the function of implementing Council decisions including the development of technical guidelines for the coordination of the multi sectoral-national response for the—

Constitution of Secretariat and definition of its functions

- (a) prevention of HIV, AIDS, STI and TB and the treatment and care of persons infected with HIV, AIDS, STI and TB; and;
- (b) care and support of persons infected with or affected by HIV, AIDS, STI and TB.

(2) Without prejudice to the generality of subsection (1) the Secretariat shall—

- (a) ensure accessibility of HIV, AIDS, STI and TB information to the public throughout the country;
- (b) assist in the development of guidelines for the screening of blood and blood related products in accordance with international standards in order to prevent the spread of HIV, AIDS, STI and TB;
- (c) in consultation with health institutions and other stakeholders, develop guidelines for community based care for combating of HIV, AIDS, STI and TB and develop mechanisms for linkages between community based care and other health care systems;



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Council*

- (d) in consultation with other institutions and stakeholders involved in the fight against HIV, AIDS, STI and TB, develop strategies for appropriate interventions targeted at the most vulnerable populations;
- (e) develop mechanisms and guidelines to ensure speedy, effective and direct delivery of resources and materials to affected communities and groups;
- (f) develop guidelines for—
 - (i) testing in respect of HIV, AIDS, STI and TB; and
 - (ii) counselling for persons infected with or affected by HIV, AIDS, STI and TB;
- (g) develop a data bank for HIV, AIDS, STI and TB;
- (h) develop guidelines for securing the human rights of persons with HIV and AIDS;
- (i) strengthen the collaboration between traditional health practitioners and conventional practitioners dealing with HIV and AIDS;
- (j) facilitate the formation of support groups to combat the stigmatisation, discrimination and denial in respect of HIV and AIDS;
- (k) perform any other function assigned to it by the Council.

Director-
General,
Secretary and
other staff of
Secretariat

14. (1) Subject to subsection (2), the Council shall, appoint the Director-General of the Council who shall be the Chief Executive Officer of the Council and the Secretariat and who shall, subject to the control and direction of the Council, be responsible for the implementation of the decisions of the Council.

(2) The terms and conditions of service of the Director-General shall be determined by the Council, with the approval of the Minister.

(3) The Director-General shall be the Secretary to the Council.

(4) The Council may appoint on such terms and conditions as it may determine, such other staff of the Secretariat as it considers necessary for the performance of its functions under this Act.

(5) The provisions of section *twelve* shall apply with necessary modifications to the staff of the Secretariat.



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PART IV
FINANCIAL PROVISIONS

15. (1) The funds of the Council shall consist of such moneys as may—
- Funds for Council
- (a) be appropriated by Parliament for the purposes of the Council;
 - (b) be paid to the Council by way of fees, levy, grants or donations; or
 - (c) vest in or accrue to the Council.
- (2) The Council 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;
 - (b) raise money, from any source in Zambia and subject to the approval of the Minister, from any source outside Zambia, as it may require for the discharge of its functions; and
 - (c) charge and collect fees in respect of programmes, seminars and other activities conducted by the Council.
- (3) There shall be paid from the funds of the Council—
- (a) such moneys as may be required for the operations of the Council in accordance with its functions under this Act;
 - (b) salaries; allowances and loans of the staff of the secretariat of the Council;
 - (c) such reasonable sitting, travelling, transport and subsistence allowances for member and for members of any committee of the Council when engaged in the business of the Council, at such rates as the Council, with the approval of the Minister, may determine; and
 - (d) any other expenses incurred by the Council in the performance of its functions.
- (4) The Council 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 Council may establish a National HIV and AIDS Fund for the purpose of—
- (a) encouraging special initiatives in the multi-sectoral approaches for the prevention and combating of HIV, AIDS, STI and TB; and



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Council*

(b) promoting research and development in HIV, AIDS, STI and TB.

(6) The Minister may, by statutory instrument, regulate the management and administration of the National HIV and AIDS Fund.

Financial year 16. The financial year of the Council shall be the period of twelve months ending on the 31st of December, in each year.

Accounts 17. (1) The Council shall cause to be kept proper books of account and other records relating to its accounts.
(2) The accounts of the Council shall be audited annually by independent auditors appointed by the Council.

Annual reports 18. (1) As soon as it is practicable, but not later than six months after the expiry of each financial year, the Council shall submit to the Minister a report concerning its activities during such financial year.

(2) The report referred to in paragraph (1) shall include information on the financial affairs of the Council and there shall be appended thereto—

- (a) an audited balance sheet;
- (b) an audited statement of income and expenditure;
- (c) an audited statement of income and expenditure of the National HIV and AIDS Fund; and
- (d) such other information as the Minister may require.

(3) The Minister shall, not later than thirty days after the first sitting of the National Assembly next after receipt of the report referred to in sub-section (1), lay it before the National Assembly.

Regulations 19. The Minister may, by statutory instrument, make regulations for the better carrying out of the purposes of this Act.



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*Supplement to the Republic of Zambia Government
 Gazette dated Friday, 4th April, 2003*

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GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT No. 33 of 2003

**The Nurses and Midwives Act
 (No. 31 of 1997)**

**The Nurses and Midwives (Diploma and Certificates)
 Rules, 2003**

IN EXERCISE of the powers contained in section *twenty* of the Nurses and Midwives Act and on the recommendation of the council, the following Rules are hereby made:

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| <p>1. These Rules may be cited as the Nurses and Midwives (Diploma and Certificates) Rules, 2003.</p> <p>2. In these Rules, unless the context otherwise requires—</p> <p>“nursing college” means any premises used for the training of nurses including the premises used for the reception of and the provision of nursing care to persons suffering from any disease, injury or infirmity;</p> <p>“Council” means the General Nursing Council of Zambia established under section <i>three</i> of the Act;</p> <p>“President” means the person elected as president under paragraph 1 of the Schedule of the Act;</p> <p>“Registrar” means the person appointed Registrar under section <i>five</i> of the Act.</p> <p>3. The Council shall issue—</p> <p>(a) a diploma signed by the Registrar and the President to a person who has successfully completed an approved programme of training for a period of three years or more; or</p> <p>(b) a certificate signed by the Registrar and the President to a person who has successfully completed an approved programme of training of less than three years.</p> <p>4. The diploma and certificates to be issued under rule 3 shall be in the forms set out in the First Schedule to these Regulations.</p> | <p>Title</p> <p>Interpretation</p> <p>Council to issue diplomas and certificates</p> <p>Form of diploma and certificate</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|

*Copies of this Statutory Instrument can be obtained from Kas Electronic Publishers,
 Tel: 221424, P.O. Box 31075, 10101 Lusaka.*

ACT NO. 31 OF 1997



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Council to withdrawal diploma or certificate

5. Where the Council is of the opinion that there are irregularities in the manner a person obtained a diploma or certificate, the Council may withhold or withdraw such diploma or certificate from the person to whom it was awarded.

Council to investigate the grant of diploma or certificate

6. Where the Council withholds or withdraws a diploma or certificate under Rule 5, it will investigate the circumstances regarding the grant of such diploma or certificate and—

(a) revoke the diploma or certificate; or

(b) reinstate the diploma or certificate on payment of a prescribed fee by the affected person.

Loss or misplacement of diploma or certificate

7. (1) Where a person has lost or misplaced a diploma or certificate, that person shall produce to the Registrar an affidavit deposing to the circumstances leading to the loss or misplacement of such diploma or certificate and a similar report from the police.

(2) Where the Council is satisfied that the circumstances deposed to in the affidavit in sub rule (1) establish the probability of genuine loss or misplacement of a diploma or certificate, the Registrar shall issue a duplicate of such diploma or certificate on payment of a prescribed fee by the affected person.

Person to pass continuous assessment and examinations

8. A person pursuing a diploma or certificate under the Council shall successfully complete prescribed continuous assessment, written and practical examinations.

Requirements for entry into nursing college

9. A person may be admitted to a nursing college if that person—

(a) is between the ages of 16 and 45 years;

(b) has a full school certificate with 'O' levels in subjects prescribed by the Council; and

(c) has passed personal interviews and aptitude tests set up by the Council.

Qualification of lecturers and nurse tutors

10. The minimum qualification for lecturers and nurse tutors in a college shall be as specified in the Second Schedule.

Nursing college to follow Council approved curriculum

11. Every college shall follow the course content prescribed in the nursing and midwifery curriculum approved by the Council and where applicable the University of Zambia School of Medicine.



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12. Lecturers, nurse tutors, Clinical teachers and designated nursing and other health care professionals shall provide clinical supervision in nursing colleges.

Lecturer, nurse tutor, clinical teacher, and professional supervise students

13. (1) The Council shall appoint examiners from a list of practising nurses, midwives, tutors and lecturers in colleges submitted to it by individual schools, colleges and hospitals.

Examiners to be drawn from a list

(2) The examiners in sub-rule (1) shall serve as examiners for a period of three years and shall be eligible for reappointment on expiry of the term of office.

(3) All set examinations for a nursing college shall be approved by the Council.

14. (1) Eligibility of a person to write an examination shall be recommended by a college after that person has fulfilled all requirements set by the Council.

Eligibility to write examination

(2) A person who is eligible to sit for an examination in a nursing college shall pay a fee to the Council as set out in the Third Schedule.

15. (1) A candidate for an examination in a nursing college may be disqualified from sitting for examinations on disciplinary grounds and on the recommendation of a college to the Council.

Disqualification of a candidate

(2) A person who is disqualified under sub-rule (1) shall be notified in writing of the disqualification before the date set for examinations.

(3) A person disqualified during the examination shall be notified in writing within thirty days of writing the examination.

16. Results of examinations shall be published within ninety days of the conduct of such examinations in at least one national newspaper of wide circulation.

Examinations to be published

SCHEDULE
(Regulation 4)

LIST OF FORMS

1. Zambia Registered Nurse Diploma
2. Zambia Registered Midwife Certificate
3. Zambia Operating Theatre Nurse Certificate
4. Diploma in Mental Health Nursing
5. Zambia Enrolled Nurse Certificate
6. Zambia Enrolled Midwife Certificate.



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LOGO

GENERAL NURSING COUNCIL OF ZAMBIA
(Nurses and Midwives Act 1997)

DIPLOMA
Zambia Registered Nurse
AWARDED TO

.....
for having satisfied the Diploma requirements
of the General Nursing Council of Zambia

at.....

in.....

Month

Year

.....
REGISTRAR

.....
PRESIDENT

.....
SEAL

.....
DATE

.....
DIPLOMA No.

LOGO

GENERAL NURSING COUNCIL OF ZAMBIA
(Nurses and Midwives Act 1997)

DIPLOMA
Zambia Registered Mental Health Nurse
AWARDED TO

.....
for having satisfied the Diploma requirements
of the General Nursing Council of Zambia

at.....

in.....

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Year

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REGISTRAR

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PRESIDENT

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SEAL

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DIPLOMA No.



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4th April, 2003

Statutory Instruments

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LOGO

GENERAL NURSING COUNCIL OF ZAMBIA

(Nurses and Midwives Act 1997)

CERTIFICATE

Zambia Registered Midwife

THIS IS TO CERTIFY THAT

.....
has passed the qualifying examinations for Zambia Registered
Midwife held by the General Nursing Council of Zambia

at.....

in.....

Month

Year

REGISTRAR

PRESIDENT

SEAL

DATE

CERTIFICATE No.

LOGO

GENERAL NURSING COUNCIL OF ZAMBIA

(Nurses and Midwives Act 1997)

CERTIFICATE

Zambia Operating Theatre Nurse

THIS IS TO CERTIFY THAT

.....
has passed the qualifying examinations for Zambia Operating
Theatre Nurse held by the General Nursing Council of Zambia

at.....

in.....

Month

Year

REGISTRAR

PRESIDENT

SEAL

DATE

CERTIFICATE No.



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LOGO

GENERAL NURSING COUNCIL OF ZAMBIA

(Nurses and Midwives Act 1997)

CERTIFICATE

Zambia Enrolled Nurse

THIS IS TO CERTIFY THAT

.....
has passed the qualifying examinations for Zambia Enrolled
Nurse held by the General Nursing Council of Zambia

at.....

in.....

Month

Year

REGISTRAR

PRESIDENT

SEAL

DATE

CERTIFICATE No.

LOGO

GENERAL NURSING COUNCIL OF ZAMBIA

(Nurses and Midwives Act 1997)

CERTIFICATE

Zambia Enrolled Midwife

THIS IS TO CERTIFY THAT

.....
has passed the qualifying examinations for Zambia Enrolled
Midwife held by the General Nursing Council of Zambia

at.....

in.....

Month

Year

REGISTRAR

PRESIDENT

SEAL

DATE

CERTIFICATE No.

LUSAKA
19th March, 2003
[MH.64/9/2]

BRIG-GEN DR B. CHITUWO,
Minister of Health
National Planning



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THE PHARMACEUTICAL ACT, 2004

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Unlocking Zambia's Potential

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GOVERNMENT OF ZAMBIA

ACT

No. 14 of 2004

Date of Assent: 2/9/04

An Act to establish the Pharmaceutical Regulatory Authority and to define its functions; to provide for the registration and regulation of pharmacies; to provide for the registration and regulation of medicines intended for human use and for animal use; to provide for the regulation and control of medicines, herbal medicines and allied substances; to provide for the regulation and control of the manufacture, importation, exportation, possession, storage, distribution, supply, promotion, sale and use of medicines, herbal medicines and allied substances; to repeal the Pharmacy and Poisons Act, 1940 and the Therapeutic Substances Act, 1968; and to provide for matters connected with or incidental to the foregoing.

[8th September, 2004

ENACTED by the Parliament of Zambia.

Enactment

PART I PRELIMINARY

1. This Act may be cited as the Pharmaceutical Act, 2004, and shall come into operation on such date as the Minister may, by statutory instrument, appoint.

Short title and commencement

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

Interpretation

“administer” means to give a substance to a human being or an animal, orally, by injection or by introduction into the body in any other way, or by external application, whether by direct contact with the body or not, and any reference to administering a substance or article is a reference to administering it either in its existing state or after it has been dissolved or dispensed in, or diluted or mixed with, some other substance;

“allied substances” include cosmetics, disinfectants, food supplements, feed additives, medical and surgical sundries, medical devices, condoms and blood products;

“animal clinical trial” means an investigation consisting of the administration of a medicine under the direction of a veterinary surgeon;



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“appointed date” means the date appointed under section *one*;

“assemble” in relation to a medicine means—

(a) enclosing the medicine, with or without other medicine of the same description, in a container which is labelled before the medicine is sold or supplied; or

(b) where the medicine, with or without other medicines of the same description is already enclosed in the container before the medicine is sold or supplied labelling the container before the medicine is supplied;

“Authority” means the Pharmaceutical Regulatory Authority established by section *four*;

“Board” means the Pharmaceutical Regulatory Authority Board constituted under section *eight*;

“Chairperson” means the person appointed as Chairperson of the Board under section *eight*;

“clinical trial” means an investigation consisting of the administration of a medicinal product under the direction of a medical practitioner or a dental surgeon;

“committee” means a committee of the Authority established under section *nine*;

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“dental surgeon” means a person registered as a dental surgeon under the Medical and Allied Professions Act;

“Director-General” means the person appointed as Director-General under section *eleven*;

“dispense” means to count, measure or decant a medicine from a bulk supply or to prepare, mix, dissolve or supply a medicine for the treatment of a person or animal but does not include the administration of medicine;

“herbal medicine” means any medicinal product that contains, as active ingredients, aerial or underground parts of plants, other plant materials or combinations thereof, whether in a crude state or as plant preparations and includes herbal medicines which contain natural, organic or inorganic active ingredients and are processed or packaged in such a manner that they appear like medicines under the western system but does not include medicines containing plant material combined with chemically defined active substances, or chemically defined isolated constituents of plants;

“hospital” means any institution established as a hospital and includes a clinic, nursing home, health centre, surgery, consulting room, hospice and any other facility authorised to dispense medicines and drugs;



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- “hospital pharmacy” means a pharmacy which is part of a hospital;
- “import licence” means a licence issued under section *twenty—three* of this Act;
- “ingredient” in relation to the manufacture or preparation of a substance, includes anything which is the sole active ingredient of that substance;
- “inspector” means a person appointed as an inspector under section *fifty-nine*;
- “label” means to affix to, or otherwise display on a container or package, a notice describing the ingredients and contents thereof;
- “manufacture”, in relation to a medicine, herbal medicine or allied substance includes any process carried out in the course of making that medicine or allied substance but does not include the process of—
- (a) dissolving or dispensing a product in, or diluting or mixing it with some other substance for purposes of administering it; or
 - (b) the incorporation of a medicine in any animal feed;
- “manufacturer’s licence” means a manufacturer’s licence issued under section *twenty-one*;
- “Medicines Committee” means the Medicines Committee constituted under section *nine*;
- “medicines list” means a list of medicines prepared pursuant to section *forty-one*;
- “medical practitioner” means a person who is registered as a medical practitioner under the Medical and Allied Professions Act ;
- “medicine” means any substance or mixture of substances other than a herbal medicine intended to be used or manufactured for use for its therapeutic efficacy or for its pharmacological purpose in the diagnosis, treatment, alleviation, modification or prevention of disease or abnormal physical or mental state or the symptoms of disease in a person and includes a medicinal product, drug and veterinary medicine;
- “member” means a person appointed as a member of the Board under section *eight*;

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- “package” means anything in or by which any medicine, herbal medicine, therapeutic substance or allied substance is enclosed, covered, contained or packed;
- “pharmacy registration certificate” means a certificate of registration issued in respect of a pharmacy under section *thirteen*;
- “poison” means any substance which is on the poisons list that is prepared pursuant to section *fifty-five*;
- “preparation” includes compound, mixture and salt;
- “prescription” means a written direction given by an authorised prescriber directing that a stated amount of a medicine specified in the direction be dispensed for the person or animal named in the direction;
- “prescription only medicine” means a medicine dispensed only on prescription;
- “product licence” means a licence issued under section *thirty-seven*;
- Cap. 297 “registered pharmacist” means a person registered as a pharmacist under the Medical and Allied Professions Act;
- Act No. 31 of 1997 “registered nurse” means a person registered as a nurse under the Nurses and Midwives Act;
- “registered pharmacy” means a business or premises registered as a pharmacy under section *thirteen* of this Act;
- Act No. 31 of 1997 “registered midwife” means a person registered as a midwife under the Nurses and Midwives Act;
- “sell” means to offer for sale, expose for sale, have in possession for sale, or distribute whether or not the distribution is made for consideration;
- Cap. 119 “Society” means the Pharmaceutical Society of Zambia which is registered under the Societies Act;
- “substance” means any natural or artificial substance whether in solid or liquid form and shall include gasses or vapour;
- “veterinary medicine” means any substance or mixture of substances, other than a stock remedy or farm feed, used, manufactured or sold for the treatment, diagnosis, prevention or cure of any disease, infection or other unhealthy condition or for the maintenance or improvement of health, growth, production or working capacity, or correcting or modifying behaviour in an animal;



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“veterinary surgeon” means a person registered as a veterinary surgeon under the Veterinary Surgeons Act;

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“veterinary surgery” means a facility for the diagnosis, treatment, mitigation, modification or prevention of disease or abnormal physical state or condition in an animal; and

“wholesale dealer’s licence” means a wholesale dealers licence issued under section *twenty-two* of this Act.

3. (1) This Act does not apply to a traditional health practitioner who practises traditional medicine in a traditional setting.

Application

(2) In this section “traditional setting” means a village or rural setting and includes the practice of traditional medicine in an urban setting as long as the practice is restricted to the treatment of specific patients and is not done for commercial purposes.

PART II

THE PHARMACEUTICAL REGULATORY AUTHORITY

4. (1) There is hereby established the Pharmaceutical Regulatory Authority 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 provisions of this Act, to do all such acts and things as a body corporate may by law do or perform.

Establishment of Authority

(2) The provisions of the First Schedule shall apply to the Authority.

5. (1) The functions of the Authority shall be to—

Functions of Authority

(a) register medicines, herbal medicines and licence allied substances;

(b) register pharmacies and licence any premises used for purposes of manufacturing, importing, exporting, distribution and sale of medicines, herbal medicines and allied substances;

(c) regulate and control the manufacture, importation, exportation, distribution and sale of medicines, herbal medicines and allied substances;

(d) regulate and control the advertising and promotion of medicines, herbal medicines and allied substances;

(e) in consultation with the Society establish, maintain and develop standards for the operation of pharmacies;

(f) serve and protect the public interest in all matters relating to the sale of medicines, herbal medicines and allied substances;

(g) regulate and monitor the conduct of clinical trials on human beings and animals;



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- (h) establish, maintain and enforce standards relating to the manufacture, importation, exportation, distribution and sale of medicines, herbal medicines and allied substances;
- (i) conduct postmarket surveillance and monitor adverse drug reactions;
- (j) manage the National Drug Quality Control Laboratory;
- (k) establish, maintain and enforce standards for privately owned drug quality control laboratories;
- (l) coordinate and manage national drug formulary activities;
- (m) advise the Government on policies relating to the regulation and control of medicines, herbal medicines and allied medicines;
- (n) establish and maintain a relationship with corresponding pharmaceutical authorities in other countries;
- (o) in consultation with the National Science and Technology Council and other relevant research institutions, determine national research and development priorities in pharmacy;
- (p) administer this Act and perform duties and exercise powers which are imposed on the Authority by this Act; and
- (q) do all such things as are connected with or incidental to the functions of the Authority under this Act.

(2) The Authority may, by direction, in writing and subject to such conditions as the Authority thinks fit, delegate to the Director-General or to any member or any committee any of its functions under this Act.

Powers of Authority

6. (1) The Authority shall have power to—
- (a) direct any pharmacy or person providing services relating to the manufacture, importation, exportation, distribution and sale of medicines, herbal medicines and allied substances to deliver its services in such manner as to ensure compliance with this Act;
 - (b) require any pharmacy, manufacturer, wholesale dealer, distributor, importer, exporter or person to submit such information and records as may be necessary to enable the Authority to monitor the performance of such pharmacy, manufacturer, wholesale dealer, distributor, importer or exporter;
 - (c) consider any matter relating to the manufacture, importation, exportation, distribution and sale of medicines, herbal medicines and allied substances and make representations thereon to the Minister; and
 - (d) to require any person who is in control of a registered pharmacy to inform the Authority of the intention to move from the registered premises prior to relocating.



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7. If the Authority is of the opinion that it is not in the public interest that any medicine, herbal medicine or allied substance should be made available to the public, the Authority may by notice in writing served on any person or in the *Gazette*, direct such person to return such medicine, herbal medicine or allied substance which the person has in that person's possession to—

Authority may recall medicine, etc. from circulation

- (a) the manufacturer of the medicine, herbal medicine or allied substance; or
- (b) in the case of any imported medicine, herbal medicine or allied substance, to the importer concerned; or
- (c) deliver it or send it to the Authority or such other person as the Authority may designate.

(2) The Authority may, by notice in writing, direct any manufacturer or importer of the medicine, herbal medicine or allied substance referred to in subsection (1) or the person referred to in paragraph (c) of subsection (1) who has in their possession any quantity of such medicine, herbal medicine or allied substance, including the returned quantity to deal with or dispose of that quantity in such manner as the Authority may determine.

(3) A person shall not sell any medicine, herbal medicine, or allied substance which is the subject of a notice under subsection (1).

(4) Any person who contravenes subsection (3) commits an offence and is liable, upon conviction to a fine of not less than fifty thousand penalty units but not exceeding one hundred thousand penalty units or to imprisonment for a term of not less than six months but not exceeding five years, or to both.

8. (1) There is hereby constituted the Pharmaceutical Regulatory Authority Board which shall, subject to the provisions of this Act, perform the functions of the Authority under this Act.

Constitution of Board

(2) The Board shall consist of part-time members appointed by the Minister as follows:

- (a) five representatives of the Pharmaceutical Society of Zambia;
- (b) a representative of the Medical Association of Zambia;
- (c) a representative of the Medical Council of Zambia;
- (d) a representative of the Department of Pharmacy of the University of Zambia;
- (e) a representative of the pharmaceutical manufacturers;
- (f) a representative of the General Nursing Council;
- (g) a representative of the consumer Association of Zambia;
- (h) a representative of the ministry responsible for health;



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- (i) a representative of the Traditional Healers Association of Zambia;
- (j) a representative of the ministry responsible for Veterinary Services;
- (k) a representative of the ministry responsible for local government;
- (l) a representative of the Veterinary Association of Zambia;
- (m) a representative of the School of Veterinary Sciences of the University of Zambia;
- (n) a representative of the Environmental Council of Zambia;
- (o) a representative of the Attorney General; and
- (p) one other person.

(3) The members referred to in subsection (2) shall be nominated by the organisations or institutions which they represent.

(4) The Chairperson and the Vice-Chairperson shall be elected by the members of the Board from among their number.

(5) A person shall not be appointed as a member of the Board if the person—

- (a) is an undischarged bankrupt;
- (b) has been convicted of an offence relating to medicines, drugs, pharmacy, dangerous drugs or poisons under this Act or any other written law;
- (c) has been convicted of an offence involving fraud or dishonesty;
- (d) has been convicted of an offence under 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 an employee of the Authority.

Medicines
Committee
and other
committees

9. (1) The Board shall constitute a Medicines Committee which shall consist of the following members:

- (a) a clinical pharmacologist;
- (b) two registered pharmacists with specialisation or experience in quality control of medicines or the formulation and manufacture of medicines;
- (c) a person licensed to deal in herbal medicines or who has expertise relating to herbal medicines;
- (d) a medical practitioner;
- (e) a veterinary surgeon; and
- (f) a senior member of staff of the Authority responsible for medicine control who shall be an *ex-officio* member.

(2) The senior member of staff referred to in paragraph (f) of subsection (1) shall be the Secretary to the Committee.

(3) The functions of the Medicines Committee shall be to advise the Board on—

- (a) licensing of medicines or medicinal products;
- (b) monitoring the advertisements and promotion of medicines, herbal medicines and allied substances;



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- (c) monitoring standards relating to medicines, herbal medicines and allied substances;
- (d) monitoring the conduct of clinical trials and animal clinical tests; and
- (e) any other matter referred to it by the Board.

(4) The Chairperson and the Vice-chairperson shall be elected by the members from among their number.

(5) Three members of the Medicines Committee shall form a quorum.

Provided that at least one of the members present shall be a registered pharmacist.

(6) The Board may, for the purpose of performing its functions under this Act, constitute such other committees as it considers necessary and may delegate to any such committee such of its functions as it considers fit.

(7) The Board may appoint as members of a committee, persons who are, or are not, members of the Board, except that at least one member of a committee shall be a member of the Board.

(8) A person serving as a member of a committee shall hold office for such period as the Board may determine.

(9) Subject to any specific or general direction of the Board, a committee may regulate its own procedure.

10. There is hereby constituted the Secretariat of the Authority which shall have the function of implementing, on a day to day basis, the decisions of the Board.

Constitution
of
Secretariat

11. (1) Subject to subsection (2), the Board shall, with the approval of the Minister appoint a Director-General who shall be the chief executive officer of the Authority and who shall, subject to the control of the Board, be responsible for the day to day administration of the Authority.

Director-
General and
other staff

(2) The Board shall with the approval of the Minister determine the terms and conditions for the Director-General.

(3) The Director-General shall be appointed for a term of four years and shall be eligible for re-appointment.

(4) A person shall not be appointed as Director-General unless the person is—

- (a) a registered pharmacist; or
- (b) holds such qualifications as the Board may determine.

(5) The Director-General shall attend meetings of the Board of the Authority and of any committee and may address such meetings, but shall have no vote.

(6) The Director-General shall be the Secretary to the Authority.

(7) The Authority may appoint, on such terms and conditions as it may with the approval of the Minister determine, such other staff of the Authority as it considers necessary for the performance of its functions under this Act.



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PART III
REGISTRATION OF PHARMACIES

No one to
carry on the
business of
pharmacist
unless
registered

12. (1) Subject to the other provisions of this Part a person who is not a registered pharmacist shall not—

- (a) carry on, either on that person's own behalf or on behalf of another person the business of a pharmacist;
- (b) in the course of any trade or business—
 - (i) procure, supply, package, label, prepare, admix, compound, sell or dispense any medicine or allied substance or supply any poison; or
 - (ii) assure quality of medicines in practice;except under the immediate supervision of a registered pharmacist;
- (c) assume, take, exhibit or in any way make use of any title, emblem, description or addition reasonably calculated to suggest that that person is registered as a pharmacist.

(2) For the purpose of paragraph (c) of subsection (1), the use of the word "pharmacist" or "chemist" or "druggist" or any similar word or combination of words shall be considered to be reasonably calculated to suggest that the person having control of the business on those premises is a registered pharmacist.

Pharmacy
registration
certificate

13. (1) A person who wishes to operate a pharmacy shall, at least sixty days prior to the date the person intends to operate such pharmacy make an application for a pharmacy registration certificate in the prescribed form to the Director-General and provide evidence satisfactory to the Authority—

- (a) regarding the ownership of the pharmacy;
- (b) regarding the suitability of the premises for use as a pharmacy; and
- (c) that a registered pharmacist will manage and control the pharmacy at all times that the practice of pharmacy is being engaged in.

(3) Where the applicant is not a registered pharmacist the application shall state the name of the registered pharmacist who is designated by the applicant as the manager of the pharmacy.

(4) Where the applicant is a corporation, the application shall state—

- (a) the name of the registered pharmacist who is designated by the applicant as the manager of the pharmacy;
- (b) the name of every director of the corporation who is a registered pharmacist if any; and
- (c) the names and addresses of the directors of the corporation.



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(5) The Authority shall, within sixty days of receipt of an application under subsection (1), issue a registration certificate, subject to such terms and conditions as the Authority may specify if the applicant and the pharmacy and its proposed operation satisfy the requirements of this Act.

(6) A registration certificate issued under this section shall be valid for such period as may be specified in the registration certificate and shall be renewable for a like period if the applicant has been complying with the provisions of this Act and upon payment of a prescribed fee.

(7) Where the Authority is not satisfied with an application to issue a pharmacy registration certificate the Authority shall within sixty days of receiving the application, refuse to issue the registration certificate to the applicant and shall state the reason for the refusal.

(8) Every person carrying on the business of a pharmacist shall cause each set of premises where such business is carried on to be registered in accordance with this section.

(9) The Authority shall keep a register of pharmacies registered under subsection (1).

(10) The Authority shall every year, publish in the *Gazette*, a list of all pharmacies registered under this Act.

14. (1) No person shall establish or operate a pharmacy except under the authority of a pharmacy registration certificate issued under section *thirteen*.

(2) Any person who contravenes subsection (3) commits an offence and is liable, upon conviction to a fine of not less than fifty thousand penalty units but not exceeding two hundred thousand penalty units or to imprisonment for a term of not less than six months but not exceeding five years, or to both.

15. A person shall not carry on the business of a pharmacist unless the name and certificate of registration of the person having control of the premises in which such business is carried on are conspicuously exhibited in the premises.

16. A registered pharmacist may engage in the practice of retail pharmacy only in a registered pharmacy.

17. (1) Notwithstanding the provisions of any other written law, a hospital pharmacy shall be managed by a registered pharmacist:

Provided that the Minister may, on the recommendation of the Authority, by regulations provide for circumstances under which a hospital pharmacy may be operated by a pharmacy technician or such other person with the recognised health related qualifications and registered with a relevant registration body as the Authority may determine, under the supervision of a registered pharmacist.

(2) In this section "pharmacy technician" means a person registered as a pharmacy technician under the Medical and Allied Professions Act.

Prohibition of operating pharmacy without registration

Name and certificate of registration to be exhibited on premises

Practice in a registered pharmacy

Management of hospital pharmacies

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Pharmaceutical

Standards of
pharmacy
practice

18. For the purposes of this Part the Minister may, in consultation with the Society and on the recommendation of the Authority, by regulations, determine standards for the practice of pharmacy in pharmacies and hospital pharmacies.

Offences
and
penalties

19. Any person who contravenes the provisions of this Part commits an offence and shall be liable, upon conviction, to a fine not exceeding fifty thousand penalty units or to imprisonment for a term not exceeding five years, or to both.

Prohibition
of
manufacture,
etc. of
medicines
without
licence

PART IV
LICENCES

20. (1) No manufacturer, wholesale dealer, importer or distributor referred to in this Part shall manufacture, act as a wholesale dealer of, import or distribute, as the case may be, any medicines or allied substances unless that manufacturer, wholesale dealer, importer or distributor is a holder of a licence issued under this Part.

(2) Notwithstanding the provisions of subsection (1), a person may, subject to subsection (3), import medicines or allied substances for that person's own use but the amount so imported shall not exceed one year's supply.

(3) The Authority may require any person who imports medicines or allied substances for their own use to obtain clearance from the Authority at the port of entry of such medicines or allied substances.

(4) Any person who contravenes subsection (1) commits an offence and shall be liable, upon conviction, to a fine not exceeding twenty thousand penalty units or to imprisonment of a term not exceeding five years, or to both.

Manufacturer's
licence

21. (1) Upon application by a manufacturer to the Director-General in the prescribed form and upon payment of the prescribed fee, the Authority may issue to such manufacturer a licence to manufacture medicine or allied substances upon such conditions as to the application of such acceptable quality assurance principles and good manufacturing practices as the Authority may determine.

(2) The Authority shall grant the licence referred to in subsection (1) if it is satisfied with—

- (a) the proposed manufacturing operations to be carried out under the licence;
- (b) the premises on which the medicines or allied substances shall be manufactured;
- (c) the equipment available at the premises to be utilised for purposes of manufacturing the proposed medicines or allied substances;
- (d) the qualifications of the persons employed to supervise the manufacturing or any medicines or allied substances; and
- (e) the arrangements made for securing the custody of records on all medicines or allied substances manufactured by the applicant.



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- (3) An application under subsection (1) shall—
- (a) specify the manufacturer's name, address and nationality and if the manufacturer is a company, its registered office and the names, addresses and nationalities of the directors and of any shareholder who is the beneficial owner of more than five per centum of the issued capital;
 - (b) give a full description of the medicines or allied substances which the manufacture intends to manufacture; and
 - (c) be accompanied by such documents, materials, samples and other information relating to the medicine or allied substances as the Authority may require.
22. (1) Upon application by a wholesale dealer to the Director-General in the prescribed form and upon payment of the prescribed fee, the Authority may issue to such wholesale dealer a wholesale dealer's licence where the Authority is satisfied with—
- (a) the premises on, and the facilities in, which the medicines or allied substances shall be stored;
 - (b) the equipment available for storing the medicines or allied substances;
 - (c) the equipment and facilities available for distributing the medicines or allied substances from the premises;
 - (d) the qualifications of the persons under whose supervision the operations shall be carried out; and
 - (e) the arrangements for securing the records in respect of medicines or allied substances stored on, or distributed from, the premises.
- (2) A wholesale dealer licenced under this section shall not supply medicines or allied substances to persons other than those persons specified by the Authority under the wholesale dealer's licence.
23. Upon application by an importer or exporter to the Director-General in the prescribed form and upon payment of the prescribed fee, the Authority may issue to such importer or exporter a licence to import or export medicines or allied substances if the Authority is satisfied with—
- (a) the quality, safety and efficacy of the medicines or allied substances to which the application relates; or
 - (b) in relation to the medicines or allied substances which are to be imported—
 - (i) the premises on, and the facilities in, which the medicines or allied substances shall be stored; and
 - (ii) the equipment and facilities available for distributing the medicines or allied substances.

Wholesale
dealer's
licence

Import or
export licence



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Refusal to
issue
licence

24. (1) The Authority may refuse to issue a licence under this Part if—

- (a) the applicant fails to comply with any prescribed conditions precedent to the issue of such licence;
- (b) any licence formerly issued to the applicant under this Part has been revoked by the Authority;
- (c) the applicant has been convicted of an offence under this Act; and
- (d) the applicant has been convicted of an offence relating to the practice of pharmacy in Zambia or in any other country or the person's licence was withdrawn by the pharmaceutical authority of another country.

(2) The Authority shall notify the applicant in writing of the refusal to issue a licence under this section and shall state the reasons for the refusal.

Appeal
against
refusal to
issue licence

25. (1) Any person aggrieved by any refusal of the Authority to issue a licence to that person may appeal to the Minister not later than thirty days after the notification of such refusal.

(2) Where an appeal is made under subsection (1), the Minister may give such directions to the Authority as the Minister considers necessary to enable the Minister to determine the appeal.

(3) The Minister in determining the appeal may direct the Authority to issue the licence to the applicant or uphold the decision of the Authority and notify the appellant accordingly.

(4) Any person who is aggrieved by the decision of the Minister to uphold the Authority's decision under subsection (3) may appeal to the High Court within thirty days of the receipt of the notification of the Minister's decision.

Revocation of
licence

26. (1) Subject to subsection (2), the Authority may suspend or revoke any licence issued under this Part if satisfied that the licensee has failed to comply with any of the conditions relating to the licence.

(2) Where the Authority intends to suspend the licence under subsection (1) the Authority shall, at least twenty-one days before suspending the licence, give notice in writing to the licensee of the intention to suspend the licence of such licensee.

(3) Where the Authority intends to revoke the licence under subsection (1), the Authority shall, at least two months before revoking the licence, give notice in writing to the licensee of the intention to revoke the licence of such licensee.

(4) The notice referred to in subsection (2) or (3) shall state the reasons for the intended suspension or revocation and require the licensee to show cause, within thirty days of receipt of the notice, why the licence should not be so suspended or revoked.

(5) If the Authority is not satisfied with the explanation given by the licensee, the Authority shall suspend or revoke, as the case may be, the licence and notify the licensee accordingly.

(6) Any person who is aggrieved by the decision of the Authority to suspend or revoke a licence under this section may within thirty days of receipt of the notice of the revocation under subsection (5) appeal to the High Court.



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27. (1) A licence granted under this Part shall authorise the licensee to sell, manufacture, distribute, import or export medicines or allied substances in accordance with the provisions of this Act upon the premises specified in the licence and shall—

Duration of licences

- (a) in the case of a wholesale dealer's licence, an export licence or an import licence be valid for a period of one year from the date of issue; or
- (b) in the case of a manufacturing licence be valid for a period of five years from the date of issue.

(2) Upon the expiry of any licence issued under this Part, the holder of such licence may within sixty days before the expiry of such licence apply to the Authority for renewal.

(3) An application for renewal under subsection (2) shall be in the prescribed form and shall be accompanied by the prescribed fee.

28. The Authority shall maintain a register in the prescribed form of licences issued under this Act, which shall contain such particulars as the Authority may consider necessary.

Licence Register

29. The Minister may, on the recommendation of the Authority, by statutory instrument, prescribe—

Power of Minister to regulate

- (a) the form of, and the terms and conditions attached to, each licence; and
- (b) the appropriate fee payable in respect of each licence issued under this Part.

30. (1) Except as otherwise provided by this Act, any licence issued under this Part shall be used solely by the licensee and shall not be transferable to any other person.

Licences not transferrable

(2) Any person who transfers a licence issued to that person or accepts the transfer of any licence commits an offence and shall be liable, upon conviction, to a fine not exceeding twenty thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

31. The provisions of this Part with respect to licensing, shall not apply to medicines or allied substances supplied by—

Exemption of qualified medical practitioners and other persons

- (a) a duly qualified medical practitioner, dentist, veterinary surgeon, registered nurse and a registered midwife in the ordinary course of practice of that medical practitioner, dentist, veterinary surgeon, registered nurse or registered midwife;
- (b) any employee of the Government in the course of that employee's duties; or
- (c) any hospital, dispensary or similar institution exempted by the Minister, on the recommendation of the Authority, by statutory order, whether general or special.



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Offences and penalties

32. (1) Any person who fraudulently obtains a licence under this Part commits an offence and shall be liable, upon conviction, to a fine not exceeding one hundred thousand penalty units or to imprisonment to a term not exceeding seven years, or to both.

(2) Any person who—

- (a) deals in unregistered medicines or allied substances;
- (b) fails to maintain records for medicines or allied substances registered under this Act; or
- (c) obtains medicines or allied substances from unauthorised suppliers;

commits an offence and shall be liable, upon conviction, to a fine not exceeding three hundred thousand penalty units or to imprisonment to a term not exceeding ten years, or to both.

(3) In addition to the penalty provided in subsection (1) and (2) the court before which a person is convicted of an offence under this section may order that any medicines or allied substances in respect of which the offence is committed be forfeited to the State.

Prohibition of manufacture, etc. of substandard, counterfeit or adulterated medicines

33. (1) A person shall not manufacture, import, export, distribute or sell substandard, counterfeit or adulterated medicines or allied substances.

(2) A person who contravenes subsection (1) commits an offence and shall be liable, upon conviction, to a fine of not less than three hundred thousand penalty units but not exceeding five hundred thousand penalty units or to imprisonment for a term of not less than five years but not exceeding ten years, or to both.

(3) In addition to the penalty provided in subsection (2) the court before which a person is convicted of an offence under this section may order that any medicines or allied substances in respect of which the offence is committed be forfeited to the State to be destroyed.

Prohibition of supply of expired medicines

34. (1) A person shall not supply or sell an expired medicine or allied substance.

(2) A person who contravenes subsection (1) commits an offence and shall be liable, upon conviction, to a fine of not less than three hundred thousand penalty units but not exceeding five hundred thousand penalty units or to imprisonment for a term of not less than five years but not exceeding ten years, or to both.



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(3) In addition to the penalty provided in subsection (2) the court before which a person is convicted of an offence under this section may order that any medicines or allied substances in respect of which the offence is committed be forfeited to the State to be destroyed.

35. (1) A person shall not label, package, treat, process, sell or advertise any medicine in a manner that is false, misleading or deceptive in respect of its character, constitution, value, potency, quality, composition, merit or safety or in contravention of any regulations made under this Act.

Prohibition of deception in labelling of medicine, etc.

(2) A person who contravenes subsection (1) commits an offence and shall be liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding ten years, or to both.

PART V

REGISTRATION OF MEDICINES, HERBAL MEDICINES AND ALLIED SUBSTANCES

36. (1) The categories of medicines to which this Part applies are—
(a) prescription only medicine;
(b) pharmacy medicine; and
(c) general sale medicine.

Categories of medicine

(2) Medicines shall be dispensed in accordance with the respective requirements applicable to the categories specified in subsection (1).

(3) The Authority shall for purposes of this Part maintain a register of medicines registered under this Part.

37. (1) An application for the registration of a medicine, herbal medicine, or allied substance shall be made to the Authority in the prescribed form and shall be accompanied by the prescribed fee.

Registration of medicines, etc.

(2) The Authority may require an applicant referred to in subsection (1) to furnish such information in support of the application as the Authority may consider necessary.

(3) The Authority shall, upon receipt of an application under subsection (1) conduct an investigation into such medicine, herbal medicine or allied substance and if the Authority is satisfied—

- (a) with the quality, safety and efficacy of the medicines or allied substances to be manufactured;
- (b) that the medicine, herbal medicine or allied substance is suitable for the purpose for which it is intended;
- (c) that the medicine, herbal medicine or allied substance complies with the prescribed requirements; and
- (d) that the registration is in the public interest;

the Authority shall grant a product licence in the prescribed form.



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(4) The holder of the product licence referred to in subsection (3) shall pay such annual retention fees as the Authority may determine.

(5) Where the Authority refuses to grant an application under this section the Authority shall inform the applicant, in writing, stating the reasons for such refusal.

Cancellation
of product
licence

38. (1) Subject to subsection (2), the Authority may cancel a product licence issued under section *thirty-seven* if the holder of the licence—

- (a) has contravened the terms and conditions of the product licence;
- (b) manufactures medicine that does not satisfy the required standards prescribed for that medicine; or
- (c) in manufacturing the medicine has conducted oneself in a manner that does not conform with good manufacturing practice.

(2) Where the Authority intends to cancel a licence under subsection (1) the Authority shall, at least three months before cancelling the licence, give notice, in writing, to the licensee of the intention to cancel the licence of such licensee.

(3) The notice referred to in subsection (2) shall state the reasons for the intended cancellation and require the licensee to show cause, within thirty days of receipt of the notice, why the licence should not be so cancelled.

(4) If the Authority is not satisfied with the explanation given by the licensee the Authority shall cancel the licence and notify the licensee accordingly.

Appeals

39. (1) Any person aggrieved by any refusal of the Authority to issue a licence or to cancel a product licence may appeal to the Minister not later than *thirty days* after the notification of such refusal.

(2) Where an appeal is made under subsection (1), the Minister may give such directions to the Authority as the Minister considers necessary to enable the Minister to determine the appeal.

(3) The Minister in determining the appeal may direct the Authority to issue the licence to the applicant or uphold the decision of the Authority and notify the appellant accordingly.

(4) Any person who is aggrieved by the decision of the Minister to uphold the Authority's decision under subsection (3) may appeal to High Court with thirty days of the receipt of the notification of the Minister's decision.

Prohibition of
manufacture,
etc. of
medicine
without
product
licence

40. (1) A person shall not manufacture, import, export, supply or sell a medicine in respect of which a product licence has not been issued by the Authority under section *thirty-seven*.



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(2) A person who contravenes subsection (1) commits an offence and shall be liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for ten years, or to both.

(3) In addition to the penalty provided in subsection (1) the court before which a person is convicted of an offence under this section may order that any medicines in respect of which the offence is committed be forfeited to the State for destruction.

41. (1) The Authority shall, with the approval of the Minister prepare a list of prescription only medicines which shall consist of those medicines which, subject to the provisions of this Act, may be supplied or dispensed only under a prescription issued by an authorised prescriber.

Medicines list

(2) The Authority shall, with the approval of the Minister prepare a list of pharmacy medicines which shall consist of those medicines which, subject to the provisions of this Act are not to be sold or supplied except by or under the supervision of a registered pharmacist.

(3) The Authority shall, with the approval of the Minister prepare a list of general sale medicines which shall consist of those medicines which, subject to the provisions of this Act, may be sold or supplied without a prescription or the supervision of a registered pharmacist.

(4) A person shall not dispense, administer, supply, sell or offer any medicines on the prescription only medicine list or the pharmacy medicine list unless that person is licensed, registered or exempted from the provisions of this Part by the Authority.

(5) The Minister may on the recommendation of the Board, by statutory order, amend or vary the prescription only medicines list, the pharmacy medicines list or the general sale medicines list referred to in this section.

42. (1) No medicine which is required to be sold by prescription only shall be sold or supplied to any person without a prescription.

Prescription only medicines not so be sold without prescription

(2) For the purposes of this section an authorised prescriber shall prescribe medicines which under this Act are required to be dispensed only under a prescription by issuing a prescription which shall be in the prescribed form.

(3) All prescriptions shall specify the medicine to be administered by reference to the generic, name of that medicine.

(4) Subject to subsection (5), a prescription signed by a an authorised prescriber authorising the sale or supply of a medicine shall not be dispensed on more than one occasion:

Provided that if the prescription expressly directs that it may be dispensed on a specified number of occasions or at specified intervals in a specific period, it may be dispensed in accordance with that direction.

(5) Notwithstanding the provisions of subsection (4), insulin and medicines for the treatment of asthma or other such diseases as the Minister may, on the advice of the Authority, by regulations specify, may be sold or supplied any number of times under an initial prescription of a medical practitioner.



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(6) In this section " authorised prescriber " means a medical practitioner, a dental surgeon, a veterinary surgeon or such other person as the Minister may, on the advice for the Authority, by statutory order, designate.

(7) Where a generic medicine is prescribed under subsection (3) the registered pharmacist, or any person acting under the supervision of a registered pharmacist, to whom the prescription is presented shall dispense the generic medicine specified in that prescription unless such generic medicine is not available.

(8) Any person who contravenes the provisions of subsection (1) commits an offence and shall be liable on conviction to a fine not exceeding one hundred thousand penalty units.

Advertising of medicines

43. (1) A person shall not advertise medicines unless the advertisement conforms with the information submitted to obtain a licence under this Part.

(2) Medicine which is sold by prescription only shall not be advertised to the general public without the prior written authority of the Board.

(3) In this section " advertisement " means any representation by any means whatsoever for the purpose of promoting directly or indirectly the sale or disposal of any medicine.

(4) A person who contravenes subsection (1) or (2) commits an offence and shall be liable, upon conviction, to a fine not exceeding one hundred thousand penalty units or to imprisonment to a term not exceeding five years, or to both.

Labelling of medicines

44. Medicines shall be labelled in accordance with such regulations as the Minister may, on the recommendation of the Authority, prescribe.

Sale of medicine, etc.

45. (1) A person shall not sell by retail or otherwise supply medicine in a place other than a pharmacy except with the written authority of the Board.

(2) Where the medicine is to be sold under subsection (1) in a place other than a pharmacy—

(a) it shall be sold in the original package labelled with—

(i) full instructions for use;

(ii) contra-indications, warnings and precautions; and

(b) the package shall be marked in a conspicuous way with the letters "GS" representing general sale.

(3) A medical practitioner, dental surgeon or veterinary surgeon shall not sell any medicine or allied substance to any person unless it is in a package for an individual patients use only and under the supervision of a pharmacist.

(4) A wholesaler, manufacturer or importer shall not sell any medicine to any person other than a pharmacist unless the medicine is for general sale.

Regulations

46. For the purpose of preventing the improper use of prescription only medicines the Minister may, on the recommendation of the Authority, by regulations—

(a) provide for controlling the importation, exportation, sale, possession, distribution, use and labelling of prescription only medicines;



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- (b) excluding any prescription only medicine or preparation of such medicine from the operation of this Part;
- (c) prohibiting, regulating or restricting the manufacture of prescription only medicine; and
- (d) regulating the use by any medical practitioner, dental surgeon or veterinary surgeon of preparations containing a prescription only medicine and the dispensing of any such preparations.

PART VI

HERBAL MEDICINES

47. (1) A person shall not manufacture, export, import, distribute or sell herbal medicine unless that person has a licence issued by the Authority.

Restriction on importation, exportation, etc, of herbal medicines

(2) A person who intends to manufacture, export, import, distribute or sell herbal medicine may apply to the Authority for a licence.

(3) An application under subsection (1) shall—

- (a) be accompanied by a prescribed fee;
- (b) be in such form as the Minister may, by statutory instrument, prescribe;
- (c) specify—
 - (i) the name of the applicant;
 - (ii) the principal place of business of the applicant;
 - (iii) the type of herbal medicines the applicant intends to manufacture, export, import, distribute or sell; and
 - (iv) such other details as the Minister may, on the advice of the Authority, by statutory instrument prescribe.

48. The Minister may, on the recommendation of the Authority by statutory instrument, make regulations—

Power of Minister to regulate

- (a) for the issue, renewal and revocation of any licence issued under this part for the requirement of a herbal medicine product licence;
- (b) the form of, and the terms and conditions attaching to a licence relating to herbal medicines;
- (c) specifying the herbal medicines to which this part applies;
- (d) for the prescription of herbal medicines;
- (e) relating to the use of herbal medicines for clinical trials on human beings or animals;
- (f) prescribing standards for herbal medicines;
- (g) stipulating standards for the production, packaging, storage and distribution of herbal medicines;
- (h) regulating the advertising, marketing and promotion of herbal medicines;
- (i) prescribing standards for herbal medicines; and



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(j) prescribing anything which may be prescribed under this section in relation to herbal medicines.

PART VII

CLINIC TRIALS AND ANIMAL TESTS

Clinical trials

49. (1) A person shall not sell, supply, assemble, manufacture or procure the sale, supply, manufacture or assembly of any medicine for purposes of a clinical trial unless that person is the holder of a product licence issued by the Authority, on such terms and conditions as the Authority may determine and which authorises that person to conduct clinical trials.

(2) This section shall not apply to—

(a) anything done in a registered pharmacy, hospital or health centre by or under the supervision of a pharmacist in accordance with a prescription issued by a medical practitioner, dental surgeon, registered nurse, midwife or such other person duly authorised by the Minister; or

(b) any person procuring, preparing or dispensing a medicine under the supervision of a pharmacist in accordance with a prescription issued by a medical practitioner.

(2) A person who contravenes subsection (1) commits an offence and shall be liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment to a term not exceeding twenty-five years, or to both.

Animal clinical trials

50. (1) A person shall not sell, supply, manufacture or assemble or procure the sale, supply, manufacture or assembly of any medicine for purposes of animal clinical trials unless that person is the holder of a product licence issued by the Authority, on such terms and conditions as the Authority may determine and which authorises that person to conduct animal clinical trials.

(2) This section shall not apply to—

(a) anything done in a veterinary surgery, registered pharmacy, hospital or health centre by, or under the supervision of, a pharmacist in accordance with a prescription issued by a veterinary surgeon; or

(b) any person procuring, preparing or dispensing a medicine under the supervision of a pharmacist in accordance with a prescription issued by a veterinary surgeon.

(3) A person who contravenes subsection (1) commits an offence and shall be liable, upon conviction, to a fine not exceeding fifty thousand penalty units or to imprisonment to a term not exceeding five years, or to both.



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51. An application for a clinical trial certificate or an animal test certificate shall be made to the Authority and shall be accompanied by such documents and information as the Minister may, on the recommendation of the Authority, prescribe.

Application for clinical trial or animal clinical trials certificate

52. (1) If the Authority is satisfied that the applicant is a fit and proper person to conduct clinical trials or animal clinical trials and that the premises in which the applicant proposes to carry on such trials or tests are suitable, the Authority may, upon payment of the prescribed fee, issue to the applicant a clinical trial certificate or an animal clinical trial certificate as the case may be.

Grant and refusal of certificate

(2) A certificate granted under this section shall authorise the applicant to conduct clinical trials or animal tests in accordance with the provisions of this Act upon the premises and shall be valid for a period of one year from the date of issue.

(3) A certificate granted under this section may be renewed upon application.

(4) The Authority may refuse to issue a certificate under this Part or may revoke such certificate granted if, in the opinion of the Authority the applicant is not fit to be granted a certificate or the Authority is not satisfied with the premises upon which the business will be carried on.

53. (1) Any person aggrieved by the decision of the Authority not to grant the person a clinic trial certificate or an animal test certificate may, within thirty days of receiving the notification of refusal, appeal to the Minister.

Appeals

(2) Any person aggrieved by the decision of the Minister not to grant the person a certificate under this section may, within thirty days of receiving the notification of refusal, appeal to the High Court.

54. (1) The Authority may suspend or revoke a certificate issued under section *fifty-two*—

Suspension and revocation of certificate

(a) if the person to whom such licence is issued conducts such clinical trial or animal test in a manner which poses a risk to public health;

(b) if for any other reason the Authority is not satisfied with the manner in which any clinical trial or animal test is conducted;

(c) if it is established that the medicine is toxic; or

(d) if the clinical trial results in loss of life.



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Pharmaceutical

PART VIII

POISONS

Poisons list 55. The Minister shall, on the recommendation of the Authority, by regulations, prepare a list comprising of substances which are to be treated as poisons under this Act.

Control of poisons 56. The Minister shall, on the recommendation of the Authority, by statutory instrument, make regulations for the control, manufacture, importation, exportation, storage, distribution, sale, supply and use of poisons.

PART IX

THE NATIONAL DRUG QUALITY CONTROL LABORATORY

Establishment of Laboratory 57. There is hereby established the National Drug Quality Control Laboratory which shall be managed by the Authority and which shall facilitate the regulation of medicines and allied substances under this Act.

Authority to verify safety, etc., of medicines 58. (1) The Authority shall use the Laboratory—

- (a) to verify the safety, quality and efficacy of medicines, herbal medicine, allied substances and poisons which are manufactured or imported into the country by persons who are licenced under this Act;
- (b) to analyse and conduct research on herbal medicines, allied substances and poisons;
- (c) to provide laboratory services to the general public;
- (d) to provide practical training for personnel in the analysis of medicines, herbal medicines, and allied substances;
- (e) to perform such other functions relating to the analysis of medicines, herbal medicines, allied substances or poisons as it considers necessary.

(2) The Authority shall charge such fees for any analysis of medicines or services provided by the Laboratory as the Authority may determine.

(3) The Authority shall appoint a Director for the Laboratory who shall be responsible for the day to day administration of the Laboratory.

(4) The Authority shall appoint such number of pharmaceutical analysts as it may consider necessary for purposes of performing its functions under this section.

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PART X
INSPECTIONS

59. (1) In order to ensure compliance with the provisions of this Act, the Authority shall appoint inspectors to monitor, inspect and enforce the provisions of this Act.

Appointment
of
inspectors

(2) The Authority shall issue an identity card to each inspector.

(3) Any inspector carrying out any function under this Act shall on demand by any person who is affected by the inspector's exercise of power, produce for inspection the identity card referred to in subsection (2).

60. (1) An inspector shall have power on production of an identity card issued to the inspector under section *fifty-nine*, to enter the premises of a person carrying on the business of a manufacturer, seller or distributor of any medicines, herbal medicines or allied substances and to demand the production of, and to inspect, any books or documents relating to the manufacture, sale or distribution of such medicines, herbal medicines or allied substances and to inspect any stocks of any such medicines, herbal medicines or allied substances.

Powers of
entry and
inspection

(2) An inspector may take as many samples of a medicine, herbal medicine, therapeutic substance or allied substances as may be necessary for the purpose of testing, examination or analysis, without payment and with or without a warrant.

(3) If a magistrate is satisfied by information on oath that there is reasonable ground for suspecting—

(a) that any medicines, herbal medicines or allied substances are in contravention of the provisions of this Act or any regulations made under the Act, in the possession or under the control of a person in any premises, place, aircraft, boat, train or other vehicle of whatever description; or

(b) that a document directly or indirectly relating to, or connected with, a transaction or dealing which would if carried out be, an offence under this Act, is in the possession, or under the control, of a person in any premises, place, aircraft, boat, train or other vehicle of whatever description;

the magistrate may grant a search warrant authorising any inspector, customs officer or police officer named in the warrant, at any time or times within one month from the date of the warrant, to enter, if need be by force, such premises, place, aircraft, boat, train or other vehicle, as the case may be, and to search the same and any persons found in such premises, place, aircraft, boat, train or other vehicle.



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(4) If there is reasonable ground for suspecting that an offence under this Act has been committed in relation to any medicines, herbal medicines or allied substances which may be found in any premises, place, aircraft, boat, train or other vehicle entered under this section or in the possession of any persons, or that a document which may be found is a document referred to in paragraph (b) of subsection (2), to seize and detain those medicines, herbal medicines or allied substances or that document as the case may be.

(5) Any person who wilfully delays or obstructs an inspector or other person in the exercise of that inspector or other person's powers under this section or fails to produce or conceals or attempts to conceal, any books, stocks, medicines, herbal medicines or allied substances, commits an offence and shall be liable, upon conviction, to a fine not exceeding fifty thousand penalty units or to imprisonment for a term not exceeding three years, or to both.

Duty of inspector to report to Authority

61. Each inspector shall furnish the Authority with such reports and other information relating to an inspection as the Authority may direct.

Authority may authorise manufacture of patented medicine cap. 400

61A. Notwithstanding the provisions of the Patents Act or of any other written law, where the Minister declares a national health disaster the Authority may authorise a manufacturer to manufacture, locally, a generic formulation of a medicine notwithstanding that a patent in respect of that medicine has been issued in Zambia or in another country.

Prohibition of sale of harmful cosmetics

62. (1) A person shall not sell any cosmetic that—
(a) has in or upon it any substance that may cause injury to the health of the user when the cosmetic is used—
(i) according to the direction on the label, of or accompanying, such cosmetic; or
(ii) for such purposes and by such methods of use as are customary or usual therefor; or
(b) consists in whole or in part of any filthy, rotten, decomposed or diseased substance or of any injurious foreign matter; or
(c) was prepared, preserved, packed or stored under insanitary condition.

(2) A person who contravenes subsection (1) commits an offence and shall be liable, upon conviction, to a fine not exceeding fifty thousand penalty units or to imprisonment to a term of not less than eighteen months but not exceeding five years, or to both.

Offence by corporation

63. Where an offence under this Act is committed by a corporation every director or senior officer of that corporation shall be liable, upon conviction, as if such director or senior officer had been personally guilty of the offence unless such director or senior officer proves to the satisfaction of the court that the act constituting an offence under



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this Act was done without the knowledge, consent or connivance of that director or senior officer or that such director or senior officer took reasonable steps to prevent the commission of the offence.

64. (1) The Minister may, on the recommendation of the Authority, by statutory instrument, make regulations for the proper carrying into effect of the provisions of this Act. Regulations

(2) In particular and without prejudice to the generality of the foregoing, the regulations under subsection (1) may make provision for—

- (a) prohibiting, regulating or restricting the manufacture or importation of pharmaceutical preparations and prescription only medicines;
- (b) prescribing standards for pharmacies, including their operation and the maintenance, space, equipment and facilities required for pharmacies;
- (c) the safe custody and storage of medicines and allied substances;
- (d) prescribing the conditions to be satisfied by an applicant for a pharmacy registration certificate;
- (f) the compounding of prescriptions and the dispensing of medicines or allied substances by medical practitioners, dentists, veterinary surgeons and the conditions under which such compounding and dispensing of medicines may be carried out;
- (g) prescribing the records to be kept by registered pharmacists and registered pharmacies and the length of time they shall be kept;
- (h) the advertising, promotion and labelling of medicines and allied substances;
- (i) the handling of donated medicines;
- (j) the disposal of obsolete, expired or unwanted medicines in consultation with the Environmental Council of Zambia;
- (k) prescribing standards for medicines and allied substances;
- (l) prohibiting the supply or sale of counterfeit, adulterated or substandard medicines;
- (m) prescribing the period for which any books or registers required to be kept for the purposes of this Act are to be preserved;
- (n) prescribing the fees to be paid for registration certificates and licences under this Act;



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- (o) restrict the number and location of entry points through which medicines or allied substances may be imported or exported;
- (p) schedules of medicines within categories; or
- (q) for prescribing anything which is by this Act to be prescribed.

Repeal of
Part II B, C
and D of the
Food and
Drugs Act
Cap. 303

65. Divisions B, C and D of Part II of the Food and Drugs Act are hereby repealed.

Repeal of
Pharmacy
and Poisons
Act and
Therapeutic
Substances
Act and
transitional
provisions
Cap. 299
Cap. 310

66. (1) The Pharmacy and Poisons Act, 1940 and the Therapeutic Substances Act, 1968 are hereby repealed.

(2) Notwithstanding the repeal of the Pharmacy and Poisons Act and the Therapeutic Substances Act referred to in subsection (1), any subsidiary legislation made under those Acts in force immediately before the commencement of this Act—

- (a) shall remain in force unless inconsistent with this Act and be deemed to be subsidiary legislation under this Act;
- (b) may be replaced, amended or repealed by subsidiary legislation made under this Act;
- (c) any regulation, order, notice or direction made or given and in force, immediately before the commencement of this Act, under those Acts shall, unless contrary to this Act, continue in force until revoked, as if made or given under this Act.

(3) Notwithstanding the repeal of the Pharmacy and Poisons Act, any pharmacy premises or medicine registered by the Pharmacy and Poisons Board under that Act shall continue to operate as though registered by the Authority under this Act.

(4) The Second Schedule shall have effect in relation to transitional provisions in respect of the Pharmacy and Poisons Board.

FIRST SCHEDULE

(Section 4 (2))

PART I

ADMINISTRATION OF AUTHORITY

Seal of
Authority

1. (1) The seal of the Authority shall be such device as may be determined by the Authority and shall be kept by the Secretary.

(2) The affixing of the seal shall be authenticated by the Chairperson or the Vice-Chairperson and the Secretary or any other person authorised in that behalf by a resolution of the Board.



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(3) 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 Authority by the Secretary or any other person generally or specifically authorised by the Board in that behalf.

(4) Any document purporting to be a document 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.

2. (1) Subject to the other provisions of this Act, a member of the Board shall hold office for a period of three years from the date of appointment and shall be eligible for re-appointment for one further term of three years.

Tenure of office and vacancy

(2) A member may resign upon giving one month's notice, in writing, to the organisation which nominated the member and to the Minister.

(3) The office of the member shall become vacant—

- (a) upon the member's death;
- (b) if the member is absent without reasonable excuse from three consecutive meetings of the Board of which the member has had notice;
- (c) on ceasing to be a representative of the organisation which nominated the member;
- (d) if the member becomes mentally or physically incapable of performing the duties of a member; or
- (e) if the member is declared bankrupt.

(4) 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 the further period exceed four months.

3. Whenever the office of a member becomes vacant before the expiry of the term of office the Minister may appoint another member in place of the member who vacates office but such member shall hold office only for the unexpired part of the term.

Filling of casual vacancy

4. (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 three months at such places and times as the Chairperson may determine.



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(3) The Chairperson may, upon giving notice of not less than fourteen days, call a meeting of the Board and shall call a special meeting to be held within fourteen days of receipt of a written request to the Chairperson by at least five members of the Board.

(4) If the urgency of any particular matter does not permit the giving of such notice as is required under subparagraph (3), a special meeting may be called by the Chairperson, upon giving a shorter notice.

(5) Nine members of the Board shall form a quorum at any meeting of the Board.

provided that at least one of the members present shall be a pharmacist.

(6) There shall preside at any meeting of the Board—

(a) the Chairperson; and

(b) in the absence of the Chairperson the Vice-Chairperson, and in the absence of the Chairperson and the Vice-Chairperson such member as the members present may elect for the purpose of that meeting.

(7) 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 the deliberative vote.

(8) The Board may invite any person, whose presence is in its opinion desirable, to attend and to participate in the deliberations of the meeting of the Board but such person shall have no vote.

(9) 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 to do so took part in the proceedings.

Allowances for members

5. The members of the Board or any committee shall be paid such allowances as the Board may, with the approval of the Minister, determine.

Disclosure of interest

6. (1) If a member or person is present at a meeting of the Board or any committee of the Board at which any matter is the subject of consideration in which matter the member or person or the member or person's spouse is directly or indirectly interested in a private capacity the member or person shall as soon as is practicable after the commencement of the meeting, declare such 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.

(2) A declaration of interest made under this paragraph shall be recorded in the minutes of the meeting at which it is made.



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7. (1) A person shall not, without the consent in writing given by, or on behalf of, the Authority, publish or disclose to any person otherwise than in the course of duties, the contents of any documents, communication, or information which relates to, and which has come to that person's knowledge in the course of duties under this Act.

Prohibition of disclosure of information

(2) Any person who knowingly contravenes the provisions of subsection (1) commits an offence and shall be liable, upon conviction, to a fine not exceeding ten thousand penalty units or to imprisonment for a period not exceeding three months, or to both.

PART II

FINANCIAL PROVISIONS

8. (1) The funds of the Authority shall consist of such moneys as may—

Funds of Authority

- (a) be appropriated to the Authority by Parliament for the purposes of the Authority;
- (b) be paid to the Authority by way of fees, grants or donations; and
- (c) otherwise vest in or accrue to the Authority.

(2) The Authority 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;
- (b) subject to the approval of the Minister, raise by way of loans or otherwise, such moneys as it may require for the discharge of its functions; and
- (c) in accordance with the regulations made under this Act, charge fees for services provided by the Authority.

(3) There shall be paid from the funds of the Authority—

- (a) salaries, allowances, loans, gratuities and pensions of staff of the Authority and other payments for the recruitment and retention of staff;
- (b) such reasonable travelling and subsistence allowances for members and members of any committee of the Authority when engaged on the business of the Authority and at such rates as the Authority may, with the approval of the Minister, determine; and
- (c) any other expenses incurred by the Authority in the performance of its functions.

(4) The Authority may after the approval of the Minister invest in such manner as it thinks fit such of its funds as it does not immediately require for the discharge of its functions.



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Financial year

9. The financial year of the Authority shall be the period of twelve months ending on 31st December of each year.

Accounts

10. (1) The Authority shall cause to be kept proper books of account and other records relating to its accounts.

(2) The accounts of the Authority shall be audited annually by independent auditors appointed by the Authority, subject to the approval of the Minister.

(3) The auditor's fees shall be paid by the Authority.

Annual report

11. (1) As soon as practicable, but not later than ninety days after the end of the financial year, the Authority shall submit to the Minister a report concerning its activities during the financial year.

(2) The report referred to in subsection (1) shall include information on the financial affairs of the Authority and there shall be appended to the report—

(a) an audited 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 receipt of the report referred to in sub-paragraph (1), lay the report before the National Assembly.

SECOND SCHEDULE

(Section 66 (4))

SAVINGS AND TRANSITIONAL PROVISIONS IN RELATION TO THE PHARMACY AND POISONS BOARD

References to Pharmacy and Poisons Board

1. On the appointed date, reference in any written law or any other legal document to the Pharmacy and Poisons Board shall be read and construed as references to the Authority established by section *three* of this Act.

Dissolution of Pharmacy and Poisons Board Cap. 299

2. The Pharmacy and Poisons Board constituted pursuant to section *three* of the Pharmacy and Poisons Act shall, pending the appointment of the Board under this Act, continue in office for a period of three months from the appointed date.

Vesting of assets of Pharmacy and Poisons Board

3. (1) On or after the appointed date, there shall be transferred to, and vest in, or subsist against, the Authority by virtue of this Act and without further assurance—

(a) the affairs of the Pharmacy and Poisons Board; and

(b) subject to this Act, all property, rights and obligations which immediately before the appointed date were the property, rights and obligations of the Pharmacy and Poisons Board.



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(2) Except as provided in this Act, every deed, bond and agreement (other than an agreement for personal service) to which the Government was a party immediately before the commencement of this Act in respect of the Pharmacy and Poisons Board, whether in writing or not, and whether or not of such a nature that rights, liabilities and obligations thereunder could be assigned, shall, unless its subject-matter or terms make it impossible that it should have effect as modified in the manner provided by this subsection, have effect as from the date of the assignment thereof, as if—

- (a) the Authority had been a party thereto;
- (b) for any reference to the Government there were substituted, as respects anything falling to be done on or after the appointed date, a reference to the Authority; and
- (c) for any reference to any officer of the Pharmacy and Poisons Board not being a party thereto and beneficially interested therein there were substituted, as respects anything falling to be done on or after commencement of this Act, or reference to such officer of the Authority as the Authority shall designate.

(3) Subject to the provisions of subsection (2), documents, other than those referred to therein, which refer specifically or generally to the Pharmacy and Poisons Board shall be construed in accordance with subsection (2) as far as applicable.

3. (1) Where under this Act, any property, rights, liabilities and obligations of the Government through the Pharmacy and Poisons Board are deemed transferred to the Authority in respect of which transfer a written law provides for registration, the Authority shall make an application in writing to the appropriate authority for registration of the transfer.

Registration of property to be transferred by Government

(2) The registration authority referred to in subsection (1) shall make such entries in the appropriate register as shall give effect to such transfer and, where applicable, issue to the transferee concerned a certificate of title in respect of the property or make necessary amendments to the register, as the case may be, and shall make endorsement on the deeds relating to the title, right or obligation concerned; and no registration fees, stamp duty or other duties shall be payable in respect thereof.

4. (1) Without prejudice to the other provisions of this Act, where any right, liability or obligation vests in the Authority by virtue of this Act, the Authority and all other persons shall, as from the commencement of this Act, have the same rights, powers and remedies (and in particular the same rights as to the instituting or defending of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting that right, liability or obligation as they would have had if it had at all times been a right, liability or obligation of the Authority.

Legal proceedings



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(2) Any legal proceedings or application of any authority pending immediately before the commencement of this Act by or against the Government in respect of the Pharmacy and Poisons Board may be continued by or against the Authority.

(3) After the commencement of this Act, proceedings in respect of any right, liability or obligation which was vested in, held, enjoyed, incurred or suffered by the Government in respect of the Pharmacy and Poisons Board may be instituted by or against the Authority.

Terms of
service of
employees
of Board

5. (1) On or after the appointed date, the Authority shall on such terms and conditions as it may, with the approval of the Minister, determine appoint as officers of the Authority such employees of, or public officers from, the Pharmacy and Poisons Board as may be necessary for the performance of the functions of the Authority.

Act No. 35
of 1996

(2) Where an officer from the Public Service is appointed to the service of the Authority—

(a) the terms and conditions of service with the Authority shall not be less favourable than those the officer enjoyed in the Public Service; and

Act No. 35
of 1996

(b) the officer shall be deemed to have retired under section *thirty-nine* of the Public Service Pensions Act.

(3) On or after the appointed date employees of the Pharmacy and Poisons Board who are not engaged by the Authority under subsection (2) shall be retained by the Government and shall—

(a) be redeployed in the service of the Government; or

(b) be retired under section *thirty-nine* of the Public Service Pensions Act.



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CHAPTER 295 THE PUBLIC HEALTH ACT

THE PUBLIC HEALTH ACT

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CHAPTER 295

PUBLIC HEALTH

An Act to provide for the prevention and suppression of diseases and generally to regulate all matters connected with public health in Zambia.

[11th April, 1930]

12 of 1930
34 of 1930
1 of 1931
36 of 1933
9 of 1934
9 of 1937
38 of 1938
9 of 1939
14 of 1941
27 of 1941
64 of 1953
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PART I

PRELIMINARY

1. This Act may be cited as the Public Health Act.

Short title

2. In this Act, unless the context otherwise requires-

Interpretation

"adult" means a person who is over or appears to be over eighteen years of age;

"approved" and "prescribed" mean respectively approved or prescribed by the Minister or the Board or by the appointed officers or by the regulations framed under this Act, as the case may be;

"basement" includes any cellar, vault or underground room;

"Board" means the Central Board of Health constituted under this Act;

"building" includes any structure whatsoever, whether permanent or temporary;

"burial" means the burial in earth, interment or any other form of sepulture or the cremation or any other mode of disposal of a dead body, and "buried" has a corresponding meaning;

"child" means a person who is under or appears to be under eighteen years of age;

"dairy" includes any farm-house, cow-shed, milk-stall, milk-shop or other place from which milk is supplied or in which milk is kept or used for purposes of sale or manufactured into butter, cheese, dried milk or condensed milk for sale;

"dairyman" includes any cow-keeper, purveyor of milk, or occupier of a dairy, and in cases where a dairy is owned by a corporation or company the secretary or other person actually managing such dairy;

"district" means, in relation to a Local Authority, the area which is under the jurisdiction of that Local Authority;

"drain" means any drain used for the drainage of one building only, or of premises within the same curtilage and made merely for the purpose of communicating therefrom with a cesspool or other like receptacle for drainage, or with a sewer, into which the drainage of two or more buildings or premises occupied by different persons is conveyed;



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"dwelling" means any house, room, shed, hut, cave, tent, vehicle, vessel or boat or any other structure or place whatsoever, any portion whereof is used by any human being for sleeping or in which any human being dwells;

"factory" means any building or part of a building in which machinery is worked by steam, water, electricity or other mechanical power, for the purposes of trade;

"food" means any article used for food or drink other than drugs or water, and any article intended to enter into or be used in the preparation of such food, and flavouring matters and condiments;

"guardian" means any person having, by reason of the death, illness, absence or inability of the parent or any other cause, the custody of a child;

"Health Inspector" means a Health or Sanitary Inspector in the employment of the Government or of any Local Authority, and includes any person appointed by the Director of Medical Services to act as such within the district of one or more Local Authorities;

"infected" means suffering from, or in the incubation stage of, or contaminated with the infection of, any infectious disease;

"infectious disease" means any disease (not including any venereal disease except gonorrhoeal ophthalmia) which can be communicated directly or indirectly by any person suffering therefrom to any other person;

"isolated" means the segregation and the separation and the interdiction of communication with others of persons who are or are suspected of being infected; and "isolation" has a corresponding meaning;

"keeper of a lodging-house" means any person keeping an hotel or lodging-house;

"land" includes any right over or in respect of land or any interest therein;

"latrine" includes privy, urinal, earth closet and water closet;

"Local Authority" means-

- (a) in the area of a city council, a municipal council, township council, such council;
- (b) in any other area, the District Secretary for the District in which such area is situate;

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"lodging-house" includes an hotel and any building or part of a house including the verandah thereof, if any, which is let or sublet in lodgings or otherwise, either by storeys, by flats, by rooms, or by portions of a room;

"medical observation" means the segregation and detention of persons under medical supervision;

"Medical Officer of Health" means the Director of Medical Services, any Government Medical Officer, any medical practitioner appointed by the Director of Medical Services to act as Medical Officer of Health in any area specified in such appointment, and the Medical Officer of Health of a city council, municipal council or township council;

"medical practitioner" means a person registered under the Medical and Allied Professions Act; Cap. 296

"medical surveillance" means the keeping of a person under medical supervision. Persons under such surveillance may be required by the Medical Officer of Health or any duly authorised officer to remain within a specified area or to attend for medical examination at specified places and times;

"occupier" includes any person in actual occupation of land or premises without regard to the title under which he occupies and, in case of premises subdivided and let to lodgers or various tenants, the person receiving the rent payable by the lodgers or tenants whether on his own account or as an agent for any person entitled thereto or interested therein;

"offensive trade" includes the trade of blood-boiler, bone-boiler, fellmonger, soap-boiler, tallow-melter, tripe-boiler and any other noxious or offensive trade, business or manufacture declared by the Minister, by statutory notice, to be a noxious or offensive trade;

"owner", as regards land or any interest therein, includes any person, other than the President, receiving the rent or profits of any lands or premises from any tenant or occupier thereof or who would receive such rent or profits if such land or premises were let whether on his own account or as agent for any person, other than the President, entitled thereto or interested therein. The term includes any lessee or licensee from the State and any superintendent, overseer or manager of such lessee or licensee residing on the holding;

"parent" includes the father and mother of a child, whether legitimate or not;

"premises" includes any building or tent together with the land on which the same is situated and the adjoining land used in connection therewith, and includes any vehicle, conveyance or vessel;

"public building" means a building used or constructed or adapted to be used either ordinarily or occasionally as a place of public worship or as a hospital, college, school, theatre, public hall or as a place of assembly for persons admitted by ticket or otherwise, or used or adapted to be used for any other public purpose;

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"public latrine" means any latrine to which the public are admitted on payment or otherwise;

"Sanitary Inspector" means a Health or Sanitary Inspector in the employment of the Government or of any Local Authority, and includes any person appointed by the Director of Medical Services to act as such within the district of one or more Local Authorities;

"slaughter-house" means the premises set apart for the purpose of a slaughter-house by a Local Authority; "pig slaughter-house" means the premises set apart by a Local Authority for the slaughtering of pigs; and "meat inspector" means the person employed by any Local Authority to act as meat inspector or other qualified person authorised by it to act in that behalf;

"stock" means and includes all domesticated animals of which the flesh or milk is used for human consumption;

"street" means any highway, road or sanitary lane, or strip of land reserved for a highway, road or sanitary lane, and includes any bridge, footway, square, court, alley or passage whether a thoroughfare or not or a part of one;

"trade premises" means any premises (other than a factory) used or intended to be used for carrying on any trade or business;

"verandah" includes any stage, platform or portico projecting from the main wall of any building;

"Veterinary Officer" means a veterinary surgeon in the employment of the Government;

"workshop" means any building or part of a building in which manual labour is exercised for purposes of trade.

(As amended by Acts No. 34 of 1930, No. 9 of 1939, No. 27 of 1941, No. 64 of 1953, No. 51 of 1963, G.N. No. 291 of 1964, No. 69 of 1965, S.I. No. 163 of 1965 and No. 14 of 1966)

PART II

ADMINISTRATION

3. Repealed by Act No. 22 of 1995.

4. Repealed by Act No. 22 of 1995.

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5. Repealed by Act No. 22 of 1995.
6. Repealed by Act No. 22 of 1995.
7. Repealed by Act No. 22 of 1995.
8. Repealed by Act No. 22 of 1995.

PART III

NOTIFICATION OF INFECTIOUS DISEASES

9. (1) The provisions of this Act, unless otherwise expressed, shall, so far as they concern notifiable infectious diseases, apply to anthrax, blackwater fever, epidemic cerebro-spinal meningitis or cerebro-spinal fever, asiatic cholera, diphtheria or membranous croup, dysentery, enteric or typhoid fever (including para-typhoid fever), erysipelas, glanders, leprosy, plague, acute anterior poliomyelitis, puerperal fever (including septicaemia, pyaemia, septic pelvic cellulitis or other serious septic condition occurring during the puerperal state), rabies, relapsing fever, scarlatina or scarlet fever, sleeping sickness or human trypanosomiasis, smallpox or any disease resembling smallpox, typhus fever, all forms of tuberculosis which are clinically recognisable apart from reaction to the tuberculin test, undulant fever and yellow fever.

Notifiable infectious diseases

(2) The Minister may, by statutory notice-

- (a) declare that any infectious disease other than those specified in subsection (1) shall be notifiable diseases under this Act;
- (b) declare that only such provisions of this Act as are mentioned in such notice shall apply to any notifiable infectious disease;
- (c) restrict the provisions of this Act, as regards the notification of any disease, to the district of any Local Authority or to any area defined in such notice.

(As amended by No. 9 of 1937 and No. 51 of 1963)

10. (1) Where an inmate of any building in Zambia used for human habitation is suffering from any notifiable infectious disease, unless such building is a hospital in which persons suffering from any notifiable infectious diseases are received, the following provisions shall have effect:

Notification of infectious diseases



Ministry of Health



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- (a) the head of the family to which such inmate (in this Act referred to as "the patient") belongs, and in his default the nearest relatives of the patient present in the building or in their default the person in charge of or in attendance on the patient, and in default of any such person the occupier of the building shall, as soon as he becomes aware that the patient is suffering from any notifiable infectious disease to which this Act applies, send notice thereof to the nearest Medical Officer of Health;
- (b) whenever any child attending any school, orphanage or like institution, or any person residing in any hotel, boarding-house or other like institution, shall be known to be suffering from any infectious disease (whether such infectious disease is specified in this Act or not) the principal or person in charge of such school, orphanage or other like institution, or the manager or proprietor or person in charge of such hotel, boarding-house or other like institution shall forthwith send notice thereof to the nearest Medical Officer of Health and shall furnish to him on his request a list of scholars or residents thereat, together with their addresses;
- (c) every medical practitioner attending on or called in to visit a patient shall forthwith, on becoming aware that the patient is suffering from any notifiable infectious disease to which this Act applies, send to the nearest Medical Officer of Health a certificate stating the name of the patient, the situation of the building and the notifiable infectious disease from which, in the opinion of such medical practitioner, the patient is suffering;
- (d) in any case in which a medical practitioner has been called in, the obligation to notify an infectious disease shall rest on such medical practitioner only;
- (e) every medical practitioner who becomes aware, by post-mortem examination or otherwise, that any person has died of a notifiable infectious disease shall immediately furnish a written certificate thereof to the nearest Medical Officer of Health and shall also inform the head of the household or the occupier of the premises or any person who has been in attendance on such diseased person of the infectious nature of the disease and the precautions to be taken to prevent its conveyance to others.

(2) Every person required by this section to give a notice or certificate who fails to give the same, shall be liable to a penalty not exceeding one hundred and twenty penalty units:

Provided that if a person is not required to give notice in the first instance, but only in default of some other person, he shall not be liable to any fine if he satisfies the court that he had reasonable cause to suppose that the notice had been duly given.

(As amended by Act No. 13 of 1994)

11. Every Medical Officer of Health shall at the end of each month and on a form to be prescribed, transmit to the Director of Medical Services particulars of all cases of infectious diseases notified to him during the month, and all information which he may possess as to the outbreak or prevalence of any infectious communicable or preventable disease in his district.

(As amended by No. 9 of 1937)

Medical Officers of Health
to transmit return of
notifications

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12. The Minister may, in respect of the notification of infectious disease, by statutory instrument, make regulations as to-

Regulations for the notification of infectious diseases

- (a) the duties of owners or occupiers of land, the owners or managers of mines, employers of labour and all chiefs or headmen or others in regard to reporting the occurrence of any infectious disease;
- (b) the duties of the person in charge of any school, orphanage or similar institution in regard to the reporting of such diseases or any other communicable disease specified in the regulations to the Local Authority;
- (c) the circumstances in which notification of particular infectious diseases shall not be required;
- (d) the duties of the Local Authority in respect of the keeping of registers and records of such notifications;
- (e) the duties of Registrars of Deaths in respect of furnishing the Local Authority with notification of return of deaths notified with such Registrars;
- (f) the forms to be used and the particulars to be furnished by medical practitioners when making such notifications to the Medical Officer of Health;
- (g) the forms to be used and the particulars to be furnished by the Medical Officer of Health when transmitting returns and reports to the Director of Medical Services;

and generally for better carrying out the provisions and attaining the objects and purposes of this Part. Any person who contravenes or fails to comply with any such regulation shall be guilty of an offence.

(As amended by No. 9 of 1937)

13. The Local Authority where such is a city council, a municipal council, or a township council and in all other cases the Government shall pay to every medical practitioner, other than a Government Medical Officer, for each certificate duly sent in by him in accordance with this Act a fee of twenty-five ngwee if the case occurs in his private practice. For the purposes of this section, private practice does not include practice among agricultural or industrial employees or their dependants in cases where the employer pays to the medical practitioner a whole or part-time salary or retaining fee for his services to such employees or their dependants.

Fees for certificates

(No. 9 of 1937 as amended by No. 51 of 1963 and No. 69 of 1965)

14. A notice or certificate to be sent to a Medical Officer of Health in pursuance of this Act, may be sent by being delivered to the officer or being left at his office or residence, or may be sent by post addressed to him at his office or his residence.

Notices and certificates

PART IV

PREVENTION AND SUPPRESSION OF INFECTIOUS DISEASES

15. A Medical Officer of Health may at any time enter and inspect any premises in which he has reason to believe that any person suffering or who has recently suffered from any infectious disease is or has recently been present, or any inmate of which has recently been exposed to the infection of any infectious disease, and may medically examine any person in such premises for the purpose of ascertaining whether such person is suffering or has recently suffered from any such disease.

Inspection of infected premises and examination of persons suspected to be suffering from infectious diseases

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16. (1) Where any Medical Officer of Health is of opinion that the cleansing and disinfecting of any building or part thereof, and of any articles therein likely to retain infection, would tend to prevent or check infectious disease, it shall be his duty to give notice in writing to the owner or occupier of such building or part thereof specifying the steps to be taken to cleanse and disinfect such building or part thereof and articles within a specified time in such notice.

Duty of Local Authority to cause premises to be cleansed and disinfected

(2) If a person to whom notice is given fails to comply therewith, he shall be liable to a penalty not exceeding three hundred penalty units for every day during which he continues to make default: and the Local Authority or Medical Officer of Health may cause such building or part thereof and articles to be cleansed and disinfected, and may recover, by civil process, the expenses incurred from the owner or occupier in default.

(3) Where the owner or occupier of any such building or part thereof is from poverty or otherwise unable, in the opinion of the Local Authority or the Medical Officer of Health, effectually to carry out the requirements of this section, such authority may, without enforcing such requirements on such owner or occupier, with or without his consent enter, cleanse and disinfect such building or part thereof and articles and defray the expenses thereof.

(As amended by Act No. 13 of 1994)

17. Any Local Authority may direct the destruction of any building, bedding, clothing or other articles which have been exposed to infection from any infectious disease, or which in the opinion of the Medical Officer of Health are infected, and any such direction shall be sufficient authority for a Medical Officer of Health or Sanitary Inspector or person authorised thereto to destroy the same, and a Local Authority may with the approval of the Minister give compensation for any building, bedding, clothing or other articles destroyed in pursuance of any direction under this section.

Destruction of infected bedding, etc.

18. Any Local Authority may provide a proper place, with all necessary apparatus and attendance, for the disinfection of bedding, clothing or other articles which have become infected, and may cause any articles brought for disinfection to be disinfected free of charge.

Provision of means of disinfection

19. Any Local Authority may provide and maintain a carriage or carriages for the conveyance of persons suffering from any infectious disease, and may pay the expenses of conveying therein any person so suffering to a hospital or other place of destination.

Provision of conveyance for infected person

20. Where in the opinion of the Medical Officer of Health any person certified by a medical practitioner to be suffering from an infectious disease, or any person suffering from venereal disease in a communicable form, is not accommodated or is not being treated or nursed in such manner as adequately to guard against the spread of the disease, such person may, on the order of the Medical Officer of Health, be detained in or removed to hospital or any temporary place which in the opinion of the Medical Officer of Health is suitable for the reception of the infectious sick and there detained until such Medical Officer of Health or any medical practitioner duly authorised thereto by the Minister is satisfied that he is free from infection or can be discharged without danger to the public health.

Removal to hospital of infected person

(As amended by Act No. 38 of 1938)



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21. Any person detained in accordance with an order of the Medical Officer of Health made under the provisions of the preceding section who escapes or attempts to escape shall be guilty of an offence and shall be liable to a fine not exceeding seven hundred and fifty penalty units or to imprisonment for a period not exceeding three months, or to both.

(No. 14 of 1941 as amended by Act No. 13 of 1994)

Penalty for escaping when detained

22. (1) Any person who-

- (a) while suffering from any infectious disease wilfully exposes himself without proper precautions against spreading the said disease in any street, public place, shop, inn, or public conveyance or enters any public conveyance without previously notifying the owner, conductor or driver thereof that he is so suffering; or
- (b) being in charge of any person so suffering so exposes such sufferer; or
- (c) gives, lends, sells, transmits or exposes, without previous disinfection, any bedding, clothing, rags or other things which have been exposed to infection from any such disease;

shall be liable to a penalty not exceeding four hundred and fifty penalty units or three months' imprisonment with or without hard labour, or to both; and a person who, while suffering from any such disease, enters any public conveyance without previously notifying to the owner or driver that he is so suffering, shall in addition be ordered by the court to pay such owner and driver the amount of any loss and expenses they may incur in carrying into effect the provisions of this Act with respect to disinfection of the conveyance:

Provided that no proceedings under this section shall be taken against persons transmitting with proper precautions any bedding, clothing, rags or other things for the purpose of having the same disinfected.

(2) For the purposes of this section, "public conveyance" includes any railway coach, tramcar, omnibus, cab, motor car or any vehicle whatsoever, or any boat or other vessel, or any aircraft, if the conveyance plies for hire or is used by members of the public.

(As amended by Act No. 13 of 1994)

23. Every owner or driver of a conveyance shall immediately provide for the disinfection of such conveyance after it has to his knowledge conveyed any person suffering from an infectious disease, and if he fails to do so he shall be liable to a penalty not exceeding six hundred penalty units; but no such owner or driver shall be required to convey any persons so suffering until he has been paid a sum sufficient to cover any loss or expenses incurred by him in carrying into effect the provisions of this section.

(As amended by Act No. 13 of 1994)

Penalty on failing to provide for disinfection of public conveyance



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24. Any person who knowingly lets for hire any dwelling or premises or part thereof in which any person has been suffering from an infectious disease, without having the same and all articles therein liable to retain infection efficiently disinfected to the satisfaction of a Medical Officer of Health as testified by a certificate signed by him, shall be liable to a penalty not exceeding one thousand five hundred penalty units. The provisions of this section shall apply to any owner or keeper of an hotel or boarding-house who lets any room or part thereof to any person.

(As amended by Act No. 13 of 1994)

Penalty for letting infected house

25. Any person letting for hire or showing for the purposes of letting for hire any dwelling or premises or part thereof who, on being questioned by any person negotiating for the hire of such house as to the fact of there being or within six weeks previously having been therein any person suffering from any infectious disease, knowingly makes a false answer to such question shall be liable to a fine not exceeding one thousand five hundred penalty units.

(As amended by Act No. 13 of 1994)

Duty of person letting house lately infected to give true information

26. (1) In every case of death from an infectious disease it shall be the duty of the occupier of the premises in which the death has occurred immediately to notify the Local Authority of the death and the cause thereof, and to make the best arrangements practicable, pending the removal of the body and the carrying out of thorough disinfection, for preventing the spread of such disease.

Notification to Local Authority of persons dying of infectious disease

(2) It shall be an offence against this Act for the occupier of any premises to keep any dead body in any room in which any person lives, sleeps, or works, or in which food is kept or prepared or eaten, or to keep the body of any person who is known to the occupier to have died of an infectious disease for more than twenty-four hours in any place other than a mortuary or other place set apart for the keeping of dead bodies, without first obtaining the sanction in writing of the Local Authority.

Removal of bodies of persons dying of infectious disease

(3) Where any person dies of an infectious disease it shall be an offence against this Act to remove the body except to a mortuary or for the purpose of immediate burial; and it shall be the duty of any person who removes the body to take it direct to the mortuary or to the place of interment for burial.

(4) Nothing in this section shall be deemed to prevent the removal by due authority of any dead body from a hospital to a mortuary.

(As amended by No. 9 of 1937)

27. (1) When-

Removal and burial of bodies of persons who have died of an infectious disease

(a) the body of a person who has died of an infectious disease is retained in a room in which any person lives, sleeps or works, or in which food is kept or prepared or eaten; or



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- (b) the body of a person who has died of an infectious disease is retained without the sanction of the Local Authority for more than twenty-four hours elsewhere than in a mortuary or other place reserved for the keeping of dead bodies; or
- (c) any dead body is retained in any dwelling or place under circumstances which in the opinion of the Local Authority are likely to endanger health; or
- (d) any dead body found within any city, municipality or township is unclaimed or where no competent person undertakes to bury it;

any magistrate or a police officer of or above the rank of Sub-Inspector, may, on a certificate signed by a medical practitioner, direct that the body be removed to a mortuary and be buried within a time to be specified in such order or, if the body is that of a person certified to have died of an infectious disease, may order that the body be buried immediately without removal to a mortuary. Unless the friends or relatives of the deceased undertake to, and do, bury the body within the time so specified, the cost of so doing shall be defrayed by the Local Authority, and may be recovered by it by action in any competent court from any person legally liable to pay the expenses of interment.

(2) Any person who obstructs the execution of any order or direction given under this section shall be guilty of an offence.

(As amended by No. 9 of 1937 and No. 69 of 1965)



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28. The Minister may, by statutory instrument, make regulations applicable to all infectious diseases or only to such infectious diseases as may be specified therein regarding the following matters:

Regulations regarding infectious diseases

- (a) the imposition and enforcement of quarantine or of medical observation and surveillance in respect of persons suffering or suspected to be suffering from infectious disease who are not removed to a hospital or place of isolation, the premises in which such persons are accommodated, those in charge of or in attendance on such persons, and other persons living in or visiting such premises or who otherwise may have been exposed to the infection of any such disease;
- (b) the duties, in respect of the prevention of infectious disease and in respect of persons suffering or suspected to be suffering therefrom, of owners of land on which persons reside, and of employers of labour, and of chiefs or headmen and others;
- (c) the measures to be taken for preventing the spread of or eradicating cholera, smallpox, yellow fever, typhus fever, typhoid fever, plague, acute anterior poliomyelitis, tuberculosis or any other infectious disease requiring to be dealt with in a special manner;
- (d) the conveyance by rail or otherwise of persons suffering from, or the bodies of persons who have died of, an infectious disease;
- (e) the prevention of the spread from any animal or the carcass or product of any animal to man, of rabies, glanders, anthrax, plague, tuberculosis, trichinosis or any other disease communicable by any animal or the carcass or product of any animal to man;
- (f) the prevention of the spread and the eradication of malaria, the destruction of mosquitoes, and the removal or improvement of conditions permitting or favouring the multiplication or prevalence of mosquitoes, and the provision and proper upkeep of mosquito nets in the sleeping apartments of hotels, boarding-houses, lodging houses and all public buildings where persons are accommodated for payment;
- (g) the prevention of the spread of disease by flies and other insects, and the destruction of and the removal or improvement of conditions permitting or favouring the prevalence or multiplication of such flies or insects;
- (h) the destruction of rodents and other vermin, the removal or improvement of conditions permitting or favouring the harbourage or multiplication thereof;
- (i) the prevention of the spread of ankylostomiasis, bilharziasis or other disease in man caused by any animal or vegetable parasite;
- (j) the prevention of the spread of any infectious, contagious or loathsome disease by the carrying on of any business, trade or occupation;
- (k) the prevention of the spread of any infectious disease by persons who, though not at the time suffering from such disease, are "carriers" of and liable to disseminate the infection thereof, and the keeping under medical surveillance and the restriction of the movements of such persons;
- (l) the prohibition of spitting in public places or in public conveyances, except into receptacles provided for the purpose;
- (m) the regulation and restriction of any trade or occupation entailing special danger to the health of those engaged therein, whether from infectious disease or otherwise, and the institution of measures for preventing or limiting such danger;
- (n) cleansing stations and the cleansing of dirty or verminous persons, the disinfection or fumigation of premises, clothing or other articles which have been exposed to or are believed to be contaminated with the infection of any infectious disease, or which are dirty or verminous, and prohibiting the carrying out of any fumigation which involves the use of poisonous gas except under licence;
- (o) rag flock manufacture and the trade in rags and in bones and in second-hand clothing, bedding or any similar article, and requiring the disinfection of any such article before its importation, removal, sale or exposure for sale or use in any manufacturing process;
- (p) the disposal of any refuse, waste matters or other matter or thing which has been contaminated with or exposed to the infection of any infectious disease.

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PART V

SPECIAL PROVISIONS REGARDING FORMIDABLE EPIDEMIC DISEASE

29. The provisions of this Act, unless otherwise expressed, in so far as they concern formidable epidemic, endemic or infectious diseases, shall be deemed to apply to smallpox, plague, asiatic cholera, yellow fever, typhus, sleeping sickness or human trypanosomiasis and any other disease which the Minister may declare, by statutory notice, to be a formidable epidemic disease for the purposes of this Act.

Formidable epidemic,
endemic or infectious
diseases

(As amended by No. 51 of 1963)

30. Whenever any part of Zambia appears to be threatened by any formidable epidemic, endemic or infectious disease, the Minister may declare it an "infected area" and may, by statutory instrument, make regulations for all or any of the following purposes, namely:

Regulations for prevention
of disease

- (a) for the speedy interment of the dead;
- (b) for house to house visitation
- (c) for the provision of medical aid and accommodation, for the promotion of cleansing, ventilation and disinfection and for guarding against the spread of disease;
- (d) for preventing any person from leaving any infected area without undergoing all or any of the following: medical examination, disinfection, inoculation, vaccination or revaccination or passing a specified period in an observation camp or station;
- (e) for the formation of hospitals and observation camps or stations, and for placing therein persons who are suffering from or have been in contact with persons suffering from infectious disease;
- (f) for the destruction or disinfection of buildings, furniture, goods or other articles, which have been used by persons suffering from infectious disease, or which are likely to spread the infection;
- (g) for the removal of persons who are suffering from an infectious disease and persons who have been in contact with such persons;
- (h) for the removal of corpses;
- (i) for the destruction of rats, the means and precautions to be taken on shore or on board vessels for preventing them passing from vessels to the shore or from the shore to vessels, and the better prevention of the danger of spreading infection by rats;
- (j) for the regulation of hospitals used for the reception of persons suffering from an infectious disease and of observation camps and stations;
- (k) for the removal and disinfection of articles which have been exposed to infection;
- (l) for prohibiting any person living in any building or using any building for any other purpose whatsoever if in the opinion of the Medical Officer of Health any such use is liable to cause the spread of any infectious disease: any regulation made under this paragraph may give a Medical Officer of Health power to prescribe the conditions on which such a building may be used;
- (m) for any other purpose, whether of the same kind or nature as the foregoing or not, having for its object the prevention, control or suppression of infectious diseases;

and may by order declare all or any of the regulations so made to be in force within the whole or any part or parts of the district of any Local Authority and such district or part or parts thereof shall be deemed an infected area and to apply to any vessels on inland waters within the territorial jurisdiction of Zambia.

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31. The Local Authority of any area within which or part of which regulations so issued by the Minister are declared to be in force, shall do and provide all such acts, matters and things as may be necessary for mitigating any such disease, or aiding in the execution of such regulations, or for executing the same, as the case may require. Moreover, the Local Authority may from time to time direct any prosecution or legal proceedings for or in respect of the wilful violation or neglect of any such regulations.

Local Authority to see to the execution of regulations

(As amended by No. 9 of 1937)

32. The Director of Medical Services and his officers shall have power of entry on any premises or vessels for the purpose of executing or superintending the execution of any regulations so issued by the Minister as aforesaid.

Power of entry

33. The Minister may, if he thinks fit, by order authorise or require any two or more Local Authorities to act together for the purposes of the provisions of this Act relating to preventions of epidemic, endemic or infectious diseases, and may prescribe the mode of such joint action and of defraying the costs thereof.

Minister may combine Local Authorities

34. (1) Every person who becomes aware of any unusual sickness or mortality among rats, mice, cats, dogs or other animals susceptible to plague or other formidable epidemic diseases, not due to poison or other obvious cause, shall immediately report the fact to the Medical Officer of Health.

Notification of sickness or mortality in animals suspected of plague

(2) Any such person who fails so to report shall be guilty of an offence.

(As amended by No. 9 of 1937)

35. Every Medical Officer of Health shall immediately report to the Director of Medical Services, by telegraph or other expeditious means, particulars of every notification received of a case or suspected case of any formidable epidemic disease, or of any unusual sickness or mortality in animals made under the last preceding section.

Medical Officers of Health to report notification of formidable epidemic diseases by telegraph

(As amended by No. 9 of 1937)

36. (1) Where an outbreak of any formidable epidemic disease exists or is threatened, it shall be lawful for the Director of Medical Services to require any person owning or having charge of any land or any buildings or dwellings not occupied, or any person owning or having charge of tents, transport, bedding, hospital equipment, drugs, food or other appliances, materials or articles urgently required in connection with the outbreak, to hand over the use of any such land or building or to supply or make available any such article, subject to the payment of a reasonable amount as hire or purchase price.

Director of Medical Services may requisition buildings, equipment, etc.

(2) Any person who, without reasonable cause, fails or refuses to comply with any such requirement shall be guilty of an offence.



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PART VI

PREVENTION OF THE SPREAD OF SMALLPOX

37. For the purposes of this Part

Interpretation of terms in Part VI

"public vaccinator" shall include a public vaccinator appointed by the Director of Medical Services and any person appointed by the Director of Medical Services to assist or act for a public vaccinator, and includes any Government Medical Officer, or Medical Officer of Health;

"unprotected person" includes a child and means a person who has not been protected from smallpox by having had the disease, either naturally or by inoculation or by having been successfully vaccinated, and who has not been certified under the provisions of this Act to be insusceptible to vaccination.

38. No person shall be permitted to enter Zambia unless he is in possession of, and produces to an immigration officer at the port of entry, a valid international certificate of vaccination or revaccination against smallpox; and such certificate shall comply with the requirements of the Sanitary Regulations of the World Health Organisation.

Vaccination certificates

(No. 61 of 1967)

39. (1) Every unvaccinated adult person or the parent or guardian of every unvaccinated child in Zambia, who has not been vaccinated at the *(1)commencement of Act No. 61 of 1967, shall cause himself or such child to be vaccinated within three years from that date.

Vaccination every three years

* 15th December, 1967.

(2) Every adult person or the parent or guardian of every child in Zambia shall cause himself or such child to be revaccinated at intervals of three years from the date of his last successful vaccination.

(No. 61 of 1967)



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40. In the event of the occurrence or threatened outbreak of smallpox in any area-

- (a) the Local Authority or any Government Medical Officer may require any person to be forthwith vaccinated or revaccinated who has or is suspected to have been in any way recently exposed to smallpox infection or may require the parent or guardian of any child who has or is suspected to have been so exposed to have such child vaccinated or revaccinated forthwith. Any person failing to comply with such requirement shall be guilty of an offence;
- (b) the Local Authority may, or when instructed by the Minister on the advice of the Board so to do shall, require all persons within an area defined to attend at centres according to instructions issued and to undergo inspection, vaccination or revaccination, as circumstances may require. Such instructions may be issued by notice in the Press, or by notices posted in public places, or otherwise as may be deemed sufficient by the Local Authority. Non-attendance shall be deemed to be an offence;
- (c) any Medical Officer of Health, public vaccinator or medical practitioner duly authorised by the Director of Medical Services may require any person in such area to furnish satisfactory proof (including the exhibition of vaccination scars) that he has been successfully vaccinated within three years immediately preceding the date of such requirement. Any person who fails to furnish such proof as regards himself or as regards any child of which he is the parent or guardian, and refuses to allow himself or such child to be vaccinated, shall be guilty of an offence.

(As amended by No. 9 of 1937 and No. 61 of 1967)

Emergency vaccination of population in areas threatened with smallpox

41. (1) If any public vaccinator or medical practitioner shall be of opinion that any adult or child is not in a fit state to be vaccinated, he shall give to the adult or to the parent or guardian of the child a certificate under his hand in Form 1 in the Schedule, or to the like effect, that the adult or child is then in a state unfit for vaccination.

If adult or child be unfit for vaccination, certificate to be given

(2) The said certificate shall remain in force for six months only but shall be renewable for successive periods of six months until the public vaccinator or medical practitioner shall deem the adult or child to be fit for vaccination when the adult or child shall with all reasonable despatch be vaccinated.

42. (1) If any public vaccinator or medical practitioner shall find that any adult or child whom he has three times unsuccessfully vaccinated is insusceptible of successful vaccination, or that the adult or child coming or brought to him for vaccination has already been successfully inoculated or had smallpox, he shall deliver to the adult or to the parent or guardian of the child a certificate under his hand in Form 2 in the Schedule.

Certificate of insusceptibility to be given

(2) A certificate of insusceptibility to vaccination shall only be given by a public vaccinator or other medical practitioner after three unsuccessful attempts at vaccination at intervals of not less than one month have been made by him with calf vaccine lymph of known efficiency.

43. Every public vaccinator or medical practitioner who shall have performed the operation of vaccination upon any adult or child, and shall have ascertained that the same has been successful, shall deliver to such adult or to the parent or guardian of such child a certificate in Form 3 in the Schedule, or to the like effect, certifying that the said adult or child has been successfully vaccinated.

Certificate to be given for successful vaccination

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44. (1) No fee or remuneration shall be charged to the person vaccinated by any public vaccinator for any certificate granted under this Act, or for any vaccination done by him in pursuance of this Act.

No fee to be charged for a certificate or for vaccination by public vaccinator

(2) A public vaccinator or medical practitioner giving any certificate under this Act shall enter therein a description of the person in respect of whom the certificate is given sufficient for the purpose of identification.

Description of person to be entered in certificate

45. Every superintendent or person in charge of a leper asylum or mental hospital, gaol, prison, reformatory, penitentiary or other similar institution, shall cause to be vaccinated within fourteen days following his admission to such institution every inmate thereof who, being in a fit state of health to undergo vaccination, has not been successfully vaccinated within the three years immediately preceding: if such person is at the time unfit to undergo vaccination, he shall be vaccinated as soon as he is so fit.

Vaccination of inmates of institutions

(As amended by No. 25 of 1969)

46. (1) No child shall be admitted to or attend any school until there has been produced to the person in charge thereof a certificate or other satisfactory evidence that the provisions of this Part in respect of such child have been complied with.

School attendance

(2) For the purpose of ascertaining whether the provisions of subsection (1) are being observed, every Medical Officer of Health is hereby authorised and required, whenever instructed by the Director of Medical Services, to visit any school and make therein such inspection of the children attending thereat as will enable him to furnish prescribed particulars to the Director of Medical Services as to the children who are unvaccinated.

47. Any person who inoculates himself or any other person with material taken from a person suffering from smallpox or from a vaccine vesicle on another person or by any method not prescribed in regulations shall be guilty of an offence.

Supply of vaccine lymph and inoculation from arm to arm, etc., forbidden



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- 48.** The Minister on the advice of the Board may, by statutory instrument, make regulations- Regulations under Part VI
- prescribing forms of certificate, notices, returns, and books of record to be used in connection with public vaccination, and defining the information to be furnished therein, and requiring the furnishing and prescribing the manner of use thereof by Registrars of Births, public vaccinators, Local Authorities, medical practitioners, parents or guardians of children, persons in charge of schools, employers of labour and others;
 - conferring powers and imposing duties, in connection with the carrying out or enforcement of vaccination, on magistrates, police officers, or other Government officers, Local Authorities, persons in charge of schools, employers of labour, chiefs, headmen, and others;
 - prescribing the conditions under which vaccine lymph may be supplied free of charge to medical practitioners, Local Authorities and others;
 - providing for the vaccination or revaccination of persons and assigning, where deemed desirable, the responsibility for the carrying out of such vaccination or revaccination to Local Authorities or employers of labour;
 - as to the application and enforcement of the provisions of this Part to persons entering Zambia and for requiring, where deemed necessary, the vaccination or revaccination of any person before so entering.

(As amended by G.N. No. 500 of 1964)

PART VII

PREVENTION OF INTRODUCTION OF DISEASE

- 49.** (1) The Minister may, by statutory notice, prohibit, restrict or regulate the immigration or importation into Zambia of any person, animal, article or thing likely, in his opinion, to introduce any infectious disease, or impose restrictions or conditions as regards the examination, detention, disinfection, or otherwise of any such person, animal, article or thing. Introduction of infectious disease

- (2) Any person who contravenes or fails to comply with any such notice shall be guilty of an offence, and shall be liable to a fine not exceeding three thousand penalty units or to imprisonment with or without hard labour for a period not exceeding six months, or to both.

(As amended by No. 51 of 1963 and Act No. 13 of 1994)

- 50.** (1) Where any person arriving in Zambia by railway train or other conveyance is found to be suffering from any infectious disease, and in the opinion of the Medical Officer of Health cannot be accommodated or cannot be nursed and treated so as to guard against the spread of the disease or to promote recovery, the Medical Officer of Health may order the removal of such person to a hospital or place of isolation for such period as may be necessary in the interests of the patient or to prevent spread of infection. Removal of infected persons from railway trains

- (2) All expenses necessarily incurred in dealing with a patient under this section shall be a charge against the said patient and may be recovered from him in the manner prescribed by law. In the case of a person unable to pay any or all of such expenses necessarily incurred on his behalf, such expenditure or balance thereof shall be a charge on the general revenues of the Republic.

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51. (1) Where any person arriving by railway train or other conveyance within Zambia is believed to have been recently exposed to the infection, or may be in the incubation stage of any notifiable disease, the Medical Officer of Health may require such person to be removed to some hospital or place of isolation until considered free from infection, or alternatively may allow such person to proceed to his place of destination and there report himself to the Local Authority for medical surveillance by such Local Authority until considered free from infection.

Surveillance or isolation of persons exposed to infection

(2) The Medical Officer of Health shall in each instance notify the Medical Officer of Health of the district where such person's destination is of the fact that such person is believed to have been recently exposed to infection and has been allowed to proceed to his destination.

(As amended by No. 9 of 1937)

52. (1) Any Medical Officer of Health may at any time board any railway train or other conveyance arriving within Zambia, and may inspect any portion thereof or anything therein, and may medically examine any person travelling by such train and require any such person to answer any question for the purpose of ascertaining if such person is infected by or has recently been exposed to the infection of any notifiable infectious disease.

Powers of authorised medical officers to inspect railway trains and medically examine passengers

(2) Any person who refuses to allow any such officer to board any railway train or other conveyance or to make any inspection or medical examination as aforesaid or otherwise obstructs or hinders any such officer in the execution of his duty, or who fails or refuses to give any information which he may lawfully be required to give, or who gives false or misleading information to any such officer, knowing it to be false or misleading, shall be guilty of an offence.

53. The Minister may, when he may consider it necessary for the prevention of the spread of any infectious disease, appoint special medical officers to inspect railway trains or other conveyances and any article or thing therein, and to examine any persons travelling by train or other conveyance, whether entering or leaving or travelling within Zambia.

Special medical officers to inspect railway trains, etc.

54. (1) When it is considered necessary for the purpose of preventing the introduction of infectious disease into Zambia, the Minister may, by statutory notice-

Powers to enforce precautions at borders

- (a) regulate, restrict or prohibit the entry into Zambia at its borders or any specified part thereof of any person, or of persons of any specified class or description, or from any specified locality or area;
- (b) regulate, restrict or prohibit the introduction into Zambia at its borders or any specified part thereof of any animal, article or thing;
- (c) impose requirements or conditions as regards the medical examination, detention, quarantine, disinfection, vaccination, isolation or medical surveillance or otherwise of persons entering Zambia, or the examination, detention or disinfection or otherwise of any article or thing introduced into Zambia at its borders or any part thereof;

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- (d) apply with or without modifications any particular provisions of this Part to persons, animals, articles or things entering or introduced into, departing or removed from Zambia by means of aircraft.

(2) Any person who contravenes or fails to comply with any such notice shall be guilty of an offence.

(As amended by No. 51 of 1963)

55. The President may enter into agreements with the Government of the United Kingdom, or with the Government of any British Dominion or possession or of any foreign country, providing for the reciprocal notification of outbreaks of any formidable epidemic or other disease or any other matter affecting the public health relations of Zambia with other countries.

Agreements with other Governments regarding reciprocal notification of outbreaks

(As amended by No. 51 of 1963, G.N. No. 291 of 1964 and S.I. No. 163 of 1965)

56. Wherever under this Part powers are exercised by the Minister or other officer in accordance therewith and with the regulations and by reason of the exercise of such powers-

Government not to be liable to pay compensation in exercise of powers of Act if reasonable precautions used

- (a) any vessel, person, article or thing is delayed or removed or detained; or
(b) any article or thing is damaged or destroyed; or
(c) any person is deprived of the use of any article or thing;

the Government shall not be liable to pay compensation, provided due care and reasonable precautions have been taken to avoid unnecessary delay or damage or destruction.

(As amended by No. 51 of 1963)

PART VIII

VENEREAL DISEASES AND LEPROSY

57. The provisions of this Act, unless otherwise expressed, in so far as they concern venereal disease and leprosy, shall be deemed to apply to syphilis, gonorrhoea, gonorrhoeal ophthalmia, soft chancre, venereal warts and venereal granuloma.

Venereal diseases and leprosy

58. (1) Every person who, while suffering from any venereal disease or leprosy in a communicable form, accepts or continues in employment in domestic service or in or about any factory, shop, hotel, restaurant, house, or other place in any capacity entailing the care of children or the handling of food utensils or food intended for consumption or use by any other person shall be guilty of an offence, unless he proves that he did not know or suspect, and had no reasonable means of knowing or suspecting that he was so suffering, and shall be liable to a fine not exceeding seven hundred and fifty penalty units or to imprisonment for a period not exceeding three months, or to both.

Infected employees



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(2) Every person shall be guilty of an offence who employs or continues to employ any person in domestic service suffering from any venereal disease or leprosy in a communicable form, or if, by reason of any employment, such person is required or is permitted to have the care of children or to handle any food utensils or food intended for consumption or use by any person other than the person employed, unless the employer proves that he did not know or suspect, and had no reasonable means of knowing or suspecting that the person so employed by him was suffering from such disease.

(As amended by No. 14 of 1941 and Act No. 13 of 1994)

59. Every person who wilfully or by culpable negligence infects any other person with venereal disease or leprosy, or does or permits or suffers any act likely to lead to the infection of any other person with any such disease, shall be guilty of an offence, and shall be liable to a fine not exceeding six thousand penalty units or to imprisonment for a period not exceeding six months, or to both.

(As amended by Act No. 13 of 1994)

Conveyance of infection
an offence

60. (1) Where any person sentenced to imprisonment under this Act or any other written law is suffering from a venereal disease or leprosy in a communicable form, he may, by order of a magistrate, be removed to a special hospital or place of accommodation, and be detained under treatment therein until the expiry of his sentence, and the magistrate, on the representation of the medical practitioner treating such person, and if satisfied that the public health cannot otherwise adequately be safeguarded and that such person when released is unlikely to undergo treatment by a medical practitioner for such disease, may order that he be detained in such hospital or place either for a specified period after the expiry of his sentence or until he is cured or free from the disease in a communicable form.

Detention in hospital of
infected person

(2) Any person so detained in a hospital or other place of accommodation who escapes or attempts to escape therefrom shall be guilty of an offence.

(As amended by No. 36 of 1933)

61. Any person detained in hospital under this Part shall be entitled to arrange, at his own expense, for his examination by any medical practitioner, and a report of such examination shall be furnished to the magistrate, who may thereupon cause to be made any further examination of such person which he may deem necessary. No person shall be detained in hospital under this Part who is not, or is no longer, suffering from a venereal disease or leprosy in a communicable form.

Rights of persons
detained in hospital

62. (1) No person shall publish any advertisement or statement intended to promote the sale of any medicine, appliance or article for the alleviation or cure of any venereal disease or disease affecting the generative organs or functions or of sexual impotence, or of any complaint or infirmity arising from or relating to sexual intercourse.

Publication of
advertisements of cures

(2) Any person who publishes any such advertisement or statement by printing it in any newspaper or exhibiting it to public view in any place or delivering or offering or exhibiting it to any person in any street or public place or in any public conveyance or who sells, offers or shows it or sends it by post to any person, shall be guilty of an offence. For the purposes of this section, "advertisement" or "statement" includes any paper, document, or book containing any such advertisement or statement.

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(3) This section shall not apply to publication by the Government or by any Local Authority, public hospital, or other public body in the discharge of its lawful duties or by any society or person acting with the authority of the Minister first obtained, or to any books, documents or papers published in good faith for the advancement of medical science.

(4) No prosecution under this section shall be instituted except on information laid by the Director of Medical Services.

(As amended by No. 51 of 1963)

63. (1) The Minister may, by statutory instrument, make regulations-

Regulations under Part VIII

- (a) prescribing forms of certificates, notices, orders or returns and books of record to be used in connection with venereal disease, and defining the information to be furnished therein, and requiring the furnishing and prescribing the manner of use thereof by Government Medical Officers, Local Authorities, Medical Officers of Health and others;
- (b) conferring powers and imposing duties in connection with venereal disease on Government Medical or other officers, Local Authorities, Medical Officers of Health, employers of labour, owners of land on which persons reside, and chiefs or headmen;
- (c) adapting, within such area as may be defined, the provisions of this Part and the procedure thereunder to the understanding and the special circumstances of persons of particular nationalities or different classes of persons;
- (d) providing for the effective enforcement of this Part as regards persons of particular nationalities or different classes of persons, and assigning, where deemed desirable, responsibility in connection therewith to Local Authorities or employers of labour;
- (e) as to the management, maintenance and inspection of hospitals or other institutions for the purposes of this Part and the appointment and duties of persons employed therein or otherwise in connection with the carrying out or enforcement of this Part;
- (f) as to the classification, treatment, control and discipline of persons treated or detained in such hospitals or institutions and prescribing compulsory work for such persons where deemed desirable;
- (g) prescribing the procedure of and precautions to be taken by persons suffering from, or attending on or having the care or charge of persons suffering from, venereal disease;

and generally for better carrying out the provisions and attaining the objects and purposes of this Part.

(2) Any person who contravenes or fails to comply with any regulation made under this section shall be guilty of an offence.

(As amended by G.N. No. 500 of 1964 and No. 25 of 1969)

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PART IX

SANITATION AND HOUSING

- 64.** No person shall cause a nuisance or shall suffer to exist on any land or premises owned or occupied by him or of which he is in charge any nuisance or other condition liable to be injurious or dangerous to health. Nuisances prohibited
- 65.** It shall be the duty of every Local Authority to take all lawful, necessary and reasonably practicable measures for maintaining its district at all times in clean and sanitary condition, and for preventing the occurrence therein of, or for remedying or causing to be remedied, any nuisance or condition liable to be injurious or dangerous to health, and to take proceedings at law against any person causing or responsible for the continuance of any such nuisance or condition. Duties of Local Authorities to maintain cleanliness and prevent nuisances
- 66.** It shall be the duty of every Local Authority to take all lawful, necessary and reasonably practicable measures for preventing or causing to be prevented or remedied all conditions liable to be injurious or dangerous to health arising from the erection or occupation of unhealthy dwellings or premises, or the erection of dwellings or premises on unhealthy sites or on sites of insufficient extent, or from overcrowding, or from the construction, condition or manner of use of any factory or trade premises, and to take proceedings under the law or rules in force in its district against any person causing or responsible for the continuance of any such condition. Duty of Local Authorities to prevent or remedy danger to health arising from unsuitable dwellings
- 67.** (1) The following shall be deemed to be nuisances liable to be dealt with in the manner provided in this Part: What constitutes a nuisance
- (a) any vessel, and any railway carriage or other conveyance in such a state or condition as to be injurious or dangerous to health;
 - (b) any dwelling or premises or part thereof which is or are of such construction or in such a state or so situated or so dirty or so verminous as to be, in the opinion of the Medical Officer of Health, injurious or dangerous to health, or which is or are liable to favour the spread of any infectious disease;
 - (c) any street, road or part thereof, any stream, pool, ditch, gutter, water-course, sink, water tank, cistern, water closet, earth closet, privy, urinal, cesspool, soak-away pit, septic tank, cesspit, soil-pipe, waste-pipe, drain, sewer, garbage receptacle, dustbin, dung-pit, refuse-pit, slop-tank, ash-pit, manure heap so foul or in such a state or so situated or constructed as, in the opinion of the Medical Officer of Health, to be offensive or to be injurious or dangerous to health;
 - (d) any well or other source of water supply or any cistern or other receptacle for water, whether public or private, the water from which is used or is likely to be used by man for drinking or domestic purposes or in connection with any dairy or milk-shop, or in connection with the manufacture or preparation of any article of food intended for human consumption, which is, in the opinion of the Medical Officer of Health, polluted or otherwise liable to render any such water injurious or dangerous to health;

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- (e) any noxious matter, or waste water, flowing or discharged from any premises, wherever situated, into any public street, or into the gutter or side channel of any street, or into any water-course, irrigation channel or bed thereof not approved for the reception of such discharge;
- (f) any stable, cow-shed or other building or premises used for keeping of animals or birds which is so constructed, situated, used or kept as to be offensive or which is injurious or dangerous to health;
- (g) any animal so kept as to be a nuisance, or injurious to health;
- (h) any accumulation or deposit of refuse, offal, manure or other matter whatsoever which is offensive or which is injurious or dangerous to health;
- (i) any accumulation of stones, timber, or other building material if such, in the opinion of the Medical Officer of Health, is likely to harbour rats or other vermin;
- (j) any premises in such a state or condition and any building so constructed as to be likely to harbour rats;
- (k) any dwelling or premises which is so overcrowded as to be injurious or dangerous to the health of the inmates or is dilapidated or defective in lighting or ventilation, or is not provided with or is so situated that it cannot be provided with sanitary accommodation to the satisfaction of the Medical Officer of Health;
- (l) any public or other building which is so situated, constructed, used or kept as to be unsafe, or injurious or dangerous to health;
- (m) any occupied dwelling for which such a proper, sufficient and wholesome water supply is not available within a reasonable distance as under the circumstances it is possible to obtain;
- (n) any factory or trade premises not kept in a cleanly state and free from offensive smell arising from any drain, privy, water closet, earth closet, or urinal, or not ventilated so as to destroy or render harmless and inoffensive as far as practicable any gases, vapours, dust or other impurities generated, or so overcrowded or so badly lighted or ventilated as to be injurious or dangerous to the health of those employed therein;
- (o) any factory or trade premises causing or giving rise to smells or effuvia which are offensive or which are injurious or dangerous to health;
- (p) any area of land kept or permitted to remain in such a state as to be offensive, or liable to cause any infectious communicable or preventable disease or injury or danger to health;

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- (q) any chimney sending forth smoke in such quantity or in such manner as to be offensive or injurious or dangerous to health;
- (r) any cemetery, burial-place or place of sepulture so situated or so crowded or otherwise so conducted as to be offensive or injurious or dangerous to health;
- (s) any act, omission, or thing which is, or may be offensive, dangerous to life, or injurious to health.

(2) The author of a nuisance means the person by whose act, default or sufferance, nuisance is caused, exists or is continued, whether he be the owner or occupier or both owner and occupier or any other person.

68. The Local Authority, if satisfied of the existence of a nuisance, shall serve a notice on the author of the nuisance or, if he cannot be found, then on the occupier or owner of the dwelling or premises on which the nuisance arises or continues, requiring him to remove it within the time specified in the notice, and to execute such work and do such things as may be necessary for that purpose and if the Local Authority think it desirable (but not otherwise) specifying any work to be executed to prevent a recurrence of the said nuisance:

Notice to remove nuisance

Provided that-

- i(i) where the nuisance arises from any want or defect of a structure or character, or where the dwelling or premises are unoccupied, the notice shall be served on the owner;
- (ii) where the author of the nuisance cannot be found and it is clear that the nuisance does not arise or continue by the act or default or sufferance of the occupier or owner of the dwelling or premises, the Local Authority shall remove the same and may do what is necessary to prevent the recurrence thereof.

(As amended by No. 9 of 1937)

69. (1) If the person on whom a notice to remove a nuisance has been served as aforesaid fails to comply with any of the requirements thereof within the time specified, the Local Authority shall cause a complaint relating to such nuisance to be made before a magistrate and such magistrate shall thereupon issue a summons requiring the person on whom the notice was served to appear before him.

Procedure in case owner fails to comply with notice

(2) If the court is satisfied that the alleged nuisance exists, the court shall make an order on the author thereof, or the occupier or owner of the dwelling or premises, as the case may be, requiring him to comply with all or any of the requirements of the notice or otherwise to remove the nuisance within a time specified in the order and to do any works necessary for that purpose.

(3) The court may by such order impose a fine not exceeding three hundred penalty units on the person on whom the order is made and may also give directions as to the payment of all costs incurred up to the time of the hearing or making of the order for the removal of the nuisance.

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(4) If the nuisance although removed since the service of the notice in the opinion of the Medical Officer of Health or Local Authority is likely to recur on the same premises, the Local Authority shall cause a complaint relating to such nuisance to be made before a magistrate and the magistrate shall thereupon issue a summons requiring the person on whom the notice was served to appear before him.

(5) If the court is satisfied that the alleged nuisance although removed is likely to recur on the same premises, the court shall make an order on the author thereof or the occupier or owner of the dwelling or premises, as the case may be, requiring him to do any specified work necessary to prevent the recurrence of the nuisance and prohibiting its recurrence.

(6) In the event of the person on whom such order as is specified in subsection (4) and (5) not complying with the order within a reasonable time, the Local Authority shall again cause a complaint to be made to a magistrate, who shall thereupon issue a summons requiring such person to appear before him and on proof that the order has not been complied with may impose a fine not exceeding three hundred penalty units, and may also give directions as to the payment of all costs up to the time of the hearing.

(7) Before making any order, the court may, if it thinks fit, adjourn the hearing or further hearing of the summons until an inspection, investigation or analysis in respect of the nuisance alleged has been made by some competent person.

(8) Where the nuisance proved to exist is such as to render a dwelling unfit, in the judgment of the court, for human habitation, the court may issue a closing order prohibiting the use thereof as a dwelling until, in its judgment, the dwelling is fit for that purpose; and may further order that no rent shall be due or payable by or on behalf of the occupier of that dwelling in respect of the period in which the closing order exists; and, on the court being satisfied that it has been rendered fit for use as a dwelling, the court may terminate the closing order and by a further order declare the dwelling habitable, and from the date thereof such dwelling may be let or inhabited.

(9) Notwithstanding any such last mentioned order, further proceedings may be taken in accordance with this section in respect of the same building in the event of any nuisance occurring or of the dwelling being again found to be unfit for human habitation.

(As amended by No. 9 of 1937 and Act No. 13 of 1994)

70. (1) Any person who fails to obey an order to comply with the requirements of the Local Authority or otherwise to remove the nuisance, shall, unless he satisfies the court that he has used all diligence to carry out such order, be liable to a fine not exceeding one hundred and twenty penalty units for every day during which the default continues; any person wilfully acting in contravention of a closing order issued under the last preceding section shall be liable to a fine not exceeding one hundred and twenty penalty units for every day during which the contravention continues.

Penalties in relation to nuisances

(2) The Local Authority may in such a case enter the premises to which any such order relates, and remove the nuisance and do whatever may be necessary in the execution of such order, and recover in any competent court the expenses incurred from the person on whom the order is made.

(As amended by No. 9 of 1937 and Act No. 13 of 1994)

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71. Whenever it appears to the satisfaction of the court that the person by whose act or default the nuisance arises, or that the owner or occupier of the premises is not known or cannot be found, the court may at once order the Local Authority to execute the works thereby directed and the cost of executing the same shall be a charge on the property on which the said nuisance exists.

Court may order Local Authority to execute works in certain cases

72. The Local Authority or any of its officers or the Medical Officer of Health, or any Sanitary Inspector, or, on the order of a magistrate, any police officer of or above the rank of Assistant Inspector may enter any building or premises for the purpose of examining as to the existence of any nuisance therein at all reasonable times; and the Local Authority or any of its officers may if necessary open up the ground of such premises and cause the drains to be tested, or such other work to be done as may be necessary for the effectual examination of the said premises:

Examination of premises

Provided that, if no nuisance is found to exist, the Local Authority shall restore the premises at its own expense.

(As amended by No. 47 of 1963)

73. (1) Where under section *sixty-seven* a nuisance is proved to exist with respect to a dwelling and the court is satisfied that such dwelling is so dilapidated or so defectively constructed or so situated that repairs to or alterations of the same are not likely to remove the nuisance and make such dwelling fit for human habitation, the court may order the owner thereof to commence to demolish the dwelling and other structures on the premises on or before a specified day, being at least one month from the date of issuing the order, and to complete the demolition and to remove the materials which comprised the same from the site before another specified day.

Demolition of unfit dwellings

(2) The court shall give notice to the occupier of a dwelling in respect of which such an order has been issued requiring him to move therefrom within a time to be specified in such notice, and if any person fails to comply with such notice or enters the dwelling or premises after the date fixed except for the purpose of demolition, he shall be guilty of an offence.

(3) If any person fails to comply with such an order for demolition, he shall be guilty of an offence and be liable to pay the daily fine provided in section *seventy*, and the Local Authority may cause the dwelling and any other structures on the premises to be demolished and may recover from the owner the expense incurred in doing so after deducting the net proceeds of the sale of the materials, which the Local Authority may sell by auction.

(4) No compensation shall be paid by the Local Authority to the owner or occupier of any dwelling or other structure in respect of the demolition thereof as aforesaid, and from the date of the demolition order no rent shall be due or payable by or on behalf of the occupier in respect of such dwelling or structure.

74. (1) Within any area to which the Minister may, by statutory notice, apply the provisions of this section, it shall not be lawful for any person after the commencement of this Act-

Prohibitions in respect of back-to-back dwelling, and rooms without through ventilation

(a) to erect any dwelling constructed on the back-to-back system; or

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- (b) to erect any room intended to be used as a sleeping or living or work room which is not sufficiently lighted by a window or windows of a total area of not less than one-tenth of the floor area, and sufficiently ventilated by two or more ventilation openings or by windows capable of being wholly or partly opened, such windows or openings being so placed as to secure through or cross ventilation; or
- (c) to erect any dwelling on made ground containing street sweepings, refuse, rubbish or other matter liable to decomposition until the approval of the Local Authority has been obtained and until also such measures for safeguarding health have been taken as the Local Authority may require; or
- (d) to let or use for habitation any dwelling or room erected anywhere after the commencement of this Act in contravention of paragraph (a), (b) or (c).

(2) Any person who contravenes any provision of this section shall be liable on conviction to a fine not exceeding one thousand five hundred penalty units, and to a further fine not exceeding sixty penalty units every day during which such contravention continues after the date fixed in any written notice in respect thereof from the Local Authority.

(As amended by G.N. No. 291 of 1964 and Act No. 13 of 1994)



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75. The Minister may, by statutory instrument, make regulations and may confer powers and impose duties in connection with the carrying out and enforcement thereof on Local Authorities, owners and others as to-

Regulations under Part IX

- (a) the inspection of land, dwellings, buildings, factories and trade premises, and for securing the keeping of the same clean and free from nuisance and so as not to endanger the health of the inmates or the public health;
- (b) the construction of buildings, the provision of proper lighting and ventilation, and the prevention of overcrowding;
- (c) the periodical cleansing and whitewashing or other treatment of dwellings and the cleansing of land attached thereto and the removal of rubbish or refuse therefrom;
- (d) the drainage of land, streets or premises, the disposal of offensive liquids and the removal and disposal of rubbish, refuse, manure and waste matters;
- (e) the standard or standards of purity of any liquid which, after treatment in any purification works, may be discharged therefrom as effluent;
- (f) the keeping of animals or birds and the construction, cleanliness and drainage of places where animals or birds are kept;
- (g) the establishment and carrying on of factories or trade premises which are liable to cause offensive smells or effluvia, or to discharge liquid or other material liable to cause such smells or effluvia, or to pollute streams, or are otherwise liable to be a nuisance or injurious or dangerous to health, and for prohibiting the establishment or carrying on of such factories or trade premises in unsuitable localities or so as to be a nuisance or injurious or dangerous to health;
- (h) the subdivision and general layout of land intended to be used as building sites, the level construction, number, direction and the width of streets and thoroughfares, the limitation of the number of dwellings or other buildings to be erected on such land, the proportion of any building site which may be built upon and the establishment of zones within which different limitations shall apply and zones within which may be prohibited the establishment or conduct of occupations or trades likely to cause nuisance or annoyance to persons residing in the neighborhood;
- (i) the inspection of the district of any Local Authority by that Local Authority with a view to ascertaining whether the lands and buildings thereon are in a state to be injurious or dangerous to health and the preparation, keeping, and publication of such records as may be required.

(As amended by Act No. 17 of 1957 and G.N. Nos. 291 and 500 of 1964)

PART X

PROTECTION OF FOODSTUFFS

76. (1) All warehouses or buildings of whatever nature used for the storage of foodstuffs shall be constructed of such materials and in such manner as shall, in the opinion of the Medical Officer of Health, render such warehouse or building rat-proof.

Construction and regulation of buildings used for the storage of foodstuffs

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(2) Where any warehouse or building intended for the storage of foodstuffs aforesaid has fallen into a state of disrepair, or does not, in the opinion of the Medical Officer of Health, afford sufficient protection against rat invasion by reason of the materials used in the construction of the same being defective, the Local Authority may by written notice require the owner to effect such repairs and alterations as the notice shall prescribe within a time to be specified in the said notice, and if such requirement is not complied with the Local Authority may enter upon the premises and effect such repairs and alterations, and may recover all costs and expenses incurred from the owner.

(3) Where, in the opinion of the Medical Officer of Health, any foodstuffs within a warehouse or building are insufficiently protected, the owner thereof shall observe all written instructions and directions of the Local Authority within a time to be specified in the notice for the better protection of the same:

Provided that in the case of any prosecution under this section, the court may in its discretion acquit the accused if it is satisfied that all reasonable steps have been taken to exclude rats having regard to all the circumstances of the case.

(As amended by No. 9 of 1937)

77. (1) No person shall reside or sleep in any kitchen or room in which foodstuffs are prepared or stored for sale.

No person shall reside or sleep in any room in which foodstuffs are stored, etc.

(2) If it appears to the Medical Officer of Health that any such kitchen or room is being so used contrary to the provisions of this section, or that any part of the premises adjoining the room in which foodstuffs are stored or exposed for sale is being used as a sleeping apartment under such circumstances that the foodstuffs are likely to be contaminated or made unwholesome, the Local Authority may serve upon the offender or upon the owner of the house, or upon both, a notice calling for such measures to be taken as shall prevent the improper use of such kitchen and premises within a time to be specified in the notice, and if such notice be not complied with the party upon whom it was served shall be guilty of an offence.

(As amended by No. 9 of 1937)

PART XI

WATER AND FOOD SUPPLIES

78. It shall be the duty of every Local Authority to take all lawful, necessary and reasonably practicable measures-

- (a) for preventing any pollution dangerous to health of any supply of water which the public within its district has a right to use and does use for drinking or domestic purposes (whether such supply is derived from sources within or beyond its district); and
- (b) for purifying any such supply which has become so polluted;

and to take measures (including, if necessary, proceedings at law) against any person so polluting any such supply or polluting any stream so as to be a nuisance or danger to health.

Duty of Local Authority as to pollution of water supplies

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79. No person shall sell or expose for sale or bring into Zambia or into any market or have in his possession without reasonable excuse any food for any animal in an unwholesome state or unfit for its use, and any Medical Officer of Health, Veterinary Officer, Sanitary Inspector, Meat Inspector or police officer of or above the rank of Sub-Inspector may seize any such food, and any District Secretary on the recommendation of the Medical Officer of Health or Veterinary Officer may order it to be destroyed or to be so disposed of as to prevent it from being used as food for animals.

(No. 22 of 1972)

Sale of unwholesome food prohibited

80. Any Medical Officer of Health, or other person duly authorised by the Local Authority in writing, may, at any time between the hours of 6 a.m. and 6 p.m., enter any shop or premises used for the sale or preparation for sale, or for the storage of food, to inspect and examine any food found therein which he shall have reason to believe is intended to be used as human food, and should such food appear to such officer to be unfit for such use, he may seize the same, and any Administrative Officer may order it to be disposed of as in the foregoing section. The proof that such food was not exposed or deposited for any such purpose shall rest with the person charged.

(As amended by G.N. No. 500 of 1964)

Seizure of unwholesome food

81. Any person in whose possession there shall be found any food liable to seizure under sections *seventy-nine* and *eighty* shall further be liable to a penalty not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months, or to both.

(As amended by Act No. 13 of 1994)

Penalty



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82. The Minister may, by statutory instrument, make regulations regarding all or any of the following matters: Regulations under Part XI

- (a) the inspection of dairy stock and of animals intended for human consumption, and of dairies, stock-sheds or yards, milk-shops, milk-vessels and slaughter-houses, and of factories, stores, shops and other places where any article of food is manufactured or prepared or kept;
- (b) the taking and examination of samples of milk, dairy produce, meat or other articles of food and the removal or detention, pending examination or inquiry, of animals or articles which are suspected of being diseased or unsound or unwholesome or unfit for human consumption, and the seizure and destruction or treatment or disposal, so as not to endanger health, of any such article which is found to be unwholesome or unsound or diseased or infected or contaminated, and of diseased animals sold or intended or offered or exposed for sale for human consumption; such regulations may empower a Medical Officer of Health, or (in the case of meat) a Veterinary Officer, to detain, seize or destroy any diseased, unsound or unwholesome article of food, but shall not confer on any other person any power beyond that of detention of such article for the purpose of examination by a Medical Officer of Health, or (in the case of meat) a Veterinary Officer;
- (c) fixing standards of milk contents and cleanliness of milk and prescribing the warning to be given to any cow-keeper, dairyman or purveyor of milk that any milk sold or kept or transmitted or exposed for sale by him has been found to be below any such standard, and the issue of orders prohibiting the sale or keeping or exposure for sale of milk from any particular animal or animals, or requiring the closing of any dairy, stock-shed or yard or milk-shop, the milk from which is found after analysis and official warning to be below any such standard;
- (d) the conveyance and distribution of milk and the labelling or marking of receptacles used for the conveyance of milk;
- (e) the veterinary inspection of dairy stock;
- (f) the duties of cow-keepers, dairymen and purveyors of milk in connection with the occurrence of infectious disease amongst persons residing or employed in or about their premises and the furnishing by them of the names and addresses of their customers, and of cow-keepers in connection with reporting the occurrence, in animals on the premises or any dairy cattle, of diseases which are communicable to man and of any disease of the udder;
- (g) the inspection and examination of, and the regulation, inspection and supervision of the manufacture, preparation, storage, keeping and transmission of any article of food intended for sale or for export from Zambia and the prohibition of the manufacture, preparation, storage, keeping, transmission, sale or export from Zambia of any such article which is, or contains an ingredient which is diseased or unsound or unfit for human consumption, or which has been exposed to any infection or contamination;
- (h) the establishment, locality, supervision, equipment, maintenance and management of slaughter-houses and places in which animals awaiting slaughter are kept and the disposal of the waste products of slaughtering and the inspection of slaughter-houses and the animals therein, and prohibiting, restricting or regulating the slaughtering of animals.

*(As amended by No. 1 of 1931, No. 17 of 1957
and No. 22 of 1972)*



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83. The Minister, on the advice of the Board, may make orders-

Minister's power to make orders on advice of Board

- (a) requiring the medical examination of any person in any premises in which any milk or dairy produce or other article of food intended for sale is collected, kept, sold, or exposed for sale, or of any person who has been engaged in the collection, preparation, keeping, conveyance or distribution of any such milk or produce or article;
- (b) prohibiting the employment by any cow-keeper, dairyman or purveyor of milk or other person in connection with the collection, preparation, storage, distribution or sale of milk, or dairy produce or any article of food, of any person who has been proved to be a carrier of the infection of typhoid or enteric fever or other infectious disease, while so infected;
- (c) requiring the closing of any stock-shed or yard, dairy or milk-shop, or the exclusion from any stock-shed or dairy premises of any animal the milk from which is believed to have conveyed or to be liable to convey any infectious disease;
- (d) prohibiting the sale or exposure for sale of milk by any cow-keeper, dairyman or purveyor of milk who has been three times convicted of offences under any laws or rules regarding the milk trade.

PART XII

PREVENTION AND DESTRUCTION OF MOSQUITOES

84. For the purposes of this Act-

Breeding places of mosquitoes to be nuisances

- (a) any collection of water, sewerage, rubbish, refuse, ordure, or other fluid or solid substance, which permits or facilitates the breeding or multiplication of animal or vegetable parasites of men or domestic animals, or of insects or of other agents, which are known to carry such parasites or which may otherwise cause or facilitate the infection of men or domestic animals by such parasites;
- (b) any collection of water in any well, pool, gutter, channel, depression, excavation, barrel, tub, bucket, or any other article, and found to contain any of the immature stages of the mosquito;
- (c) any cesspit, latrine, urinal, dung-pit or ash pit found to contain any of the immature stages of the mosquito;

shall be nuisances liable to be dealt with in the manner hereinbefore provided for the treatment of nuisances.

85. The occupier or owner of any premises shall keep such premises free from all bottles, whole or broken, whether fixed on wall or not, tins, boxes, calabashes, earthenware vessels, shells, or any other articles which are kept so that they are likely to retain water. Any occupier or owner of any premises failing to comply with the provisions of this section shall be liable to a fine not exceeding one hundred and fifty penalty units.

Yards to be kept free from bottles, whole or broken, etc.

(As amended by Act No. 13 of 1994)

86. A person shall not within a township permit any premises or lands owned or occupied by him or over which he has control to become overgrown with bush or long grass of such nature as, in the opinion of the Medical Officer of Health, to be likely to harbour mosquitoes.

Clearing of bush or long grass



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87. It shall not be lawful for any person to keep, or for the occupier or owner of any premises to allow to be kept thereon, any collection of water in any well, barrel, tub, bucket, tank or other vessel intended for the storage of water, unless such well, barrel, tub, bucket, tank or other vessel is fitted with a sufficient cover, the said cover to be kept in good repair and properly protected or screened to the satisfaction of the Medical Officer of Health so as to prevent the ingress of mosquitoes into the same. Any person offending against the provisions of this section shall be liable to a fine not exceeding one hundred and fifty penalty units, and after notice received from a local authority to a further fine not exceeding thirty penalty units for each day during which he shall make default.

Wells, etc., to be covered

(As amended by No. 9 of 1937 and Act No. 13 of 1994)

88. The occupier or owner of any premises upon or attached to which is any cesspit shall cause such cesspit to be properly protected or screened to the satisfaction of the Medical Officer of Health so as to prevent the ingress of mosquitoes into the same, and in default he shall be liable to a fine not exceeding one hundred and fifty penalty units and to a further fine not exceeding thirty penalty units for each day during which he shall continue to make such default after notice received from that local authority to comply with the provisions of this section.

Cesspits to be screened

(As amended by Act No. 13 of 1994)

89. Where any of the immature stages of the mosquito are found on any premises in any collection of water in any cesspit, well, pool, channel, barrel, tap, bucket, tank or any other vessel or any bottle, whole or broken, whether fixed on the wall or not, tin, box, calabash, shell, or any other article, it shall be lawful for the Medical Officer of Health, to take immediate steps to destroy any such immature stages of the mosquito by the application of oil or larvicide or otherwise, and to take such action as is necessary to prevent the recurrence of the nuisance and to render any pools or collections of water unfit to become breeding places for mosquitoes.

Larvae, etc., may be destroyed

90. Notwithstanding any provisions of this Act, the occupier or owner of any house or premises, or the owner or person having the charge of any vessel, timber, cask, or other article in all about which there is any collection of water, found by the Medical Officer of Health or a health inspector to contain any of the immature stages of the mosquito, shall be liable in respect of each and every such collection of water to a fine not exceeding one hundred and fifty penalty units or in default to be imprisoned with or without hard labour for seven days.

Mere presence of mosquito larvae an offence

(As amended by No. 14 of 1966 and Act No. 13 of 1994)

PART XIII

CEMETERIES

91. (1) It shall be lawful for the Minister to select and appoint within Zambia and to notify in the *Gazette* sufficient and proper places to be the sites of and to be used as cemeteries-and save as in sub-section (2) provided, it shall be obligatory where such cemeteries exist to bury the dead in such cemeteries.

Cemeteries to be appointed



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(2) It shall not be lawful for any person to export any corpse from Zambia or to cremate any corpse within Zambia without the express permission in writing of the ⁽²⁾Minister first had and obtained only subject to such conditions as the Minister may impose or by regulation prescribe.

*Powers delegated to Provincial Medical Officer by S.I. No. 36 of 1964.

(As amended by G.N. No. 291 of 1964 and No. 69 of 1965)

92. All cemeteries now being used as such and such other cemeteries as may be authorised by the Minister, notice whereof shall be published in the *Gazette*, shall be deemed authorised cemeteries.

List of authorised cemeteries

(As amended by G.N. No. 291 of 1964)

93. (1) Subject to the provisions of section *ninety-four*, it shall not be lawful to exhume any body or the remains of any body which may have been interred in any authorised cemetery or any other cemetery, burial ground or other place without a permit granted in manner hereinafter provided.

Permit to exhume

(2) Such permit shall be granted only to the legal Personal representative or next of kin of the person buried, or to his or their duly authorised agent.

Conditions of permit to exhume

(3) Such permit may be granted by the Minister in respect of any body or the remains of any body interred in any cemetery or burial ground or any other place.

(4) The permitting authority may prescribe such precautions as he may deem fit as the condition of the grant of such permit, and any person who shall exhume any body or the remains of any body contrary to this Act, or who shall neglect to observe the precautions prescribed as the condition of the permit, shall be liable to a fine not exceeding two thousand two hundred and fifty penalty units:

Provided always that nothing herein contained shall be deemed to affect the right of a magistrate to order the exhumation of a body or the remains of any body for the purpose of holding an inquiry into the cause of death of any person.

Magistrate to make order of exhumation

(As amended by Acts No. 36 of 1933, No. 44 of 1957 and G.N. No. 291 of 1964 and Act No. 13 of 1994)

94. (1) It shall be lawful for the Minister-

Directions for removal or covering over of graves for public or mining purposes

(a) whenever he shall deem it expedient for the execution of any public work or for any public, mining or industrial purpose, to direct in writing under his hand the removal, in such manner as he shall think fit, of any body or the remains of any body from any grave, whether in an authorised cemetery or elsewhere; or

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(b) whenever he shall deem it expedient for any purpose connected with or ancillary to mining operations, to direct in writing under his hand the covering over of any grave or graves and related monuments, whether in an authorised cemetery or elsewhere, by means of any substance including earth, stones, rock or mining overburden.

(2) Neither such direction shall be made in respect of any grave situated in an authorised cemetery until six months' notice of the intention to make it shall have been given by notification in the *Gazette*. Copies of such notice (which may include reference to and particulars of more than one grave) shall be posted at or near the grave or graves involved, and copies shall be sent by post in a registered letter to the legal personal representative or next of kin of the person buried, if his or their address can be ascertained.

(3) When a direction is made ordering a removal from, or the covering over of, a grave situated elsewhere than in an authorised cemetery, six months' notice of such direction shall, so far as it is possible to do so, be given to the legal personal representative or next of kin of the person buried before the work of removal or covering over is undertaken.

(4) Due regard shall be given to the wishes of the legal personal representative or next of kin concerning reinterment, if known or forthcoming as a result of the said notices or otherwise, and where, but for such wishes the Minister would have made a direction for, or work would have commenced on, the covering over of any graves, he may instead make a direction for removal as regards any particular grave or graves.

(5) The Government shall make proper and fitting arrangements for the reinterment in an authorised cemetery of any body or the remains of any body removed under this section, and for the removal and re-erection of any monument, all charges in connection therewith being defrayed out of the public revenue.

(No. 49 of 1970)

95. There shall be kept a record of every permit granted and of every direction made under the provisions of the last two sections. Such record shall contain particulars, so far as the same can be ascertained, of the name, sex, and age of the persons buried, date of burial and of the place of original burial and of reburial or removal. Such record shall be open during office hours to inspection by any person.

Record of permit for exhumation

(As amended by Act No. 49 of 1970)

96. It shall be lawful for the Minister to notify in the *Gazette* that any cemetery or burial ground shall, from a time in such notification to be specified, be closed, and the same shall be closed accordingly, and whosoever, after the said specified time, shall bury any body or the remains of any body in the said cemetery or burial ground, shall be liable to a fine not exceeding one hundred and fifty kwacha.

Closing of cemeteries by Minister

(As amended by No. 44 of 1957 and G.N. No. 291 of 1964)



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97. All reasonable expenses incurred by the Board in consequence of any default in complying with any order or notice issued under the provisions of this Act shall be deemed to be money paid for the use and at the request of the person on whom the said order or notice was made, and shall be recoverable from him at the suit of the Board as a civil debt recoverable summarily. The provisions of this section shall apply to any orders or notices issued under any rules by the Local Authority.

Reimbursement of expenses to Board

PART XIV

GENERAL

98. It shall not be lawful to live in, occupy or use or to let or sublet, or to suffer or permit to be used any basement for habitation, nor shall it be lawful, without the written permission of the Local Authority, to use such basement as a shop, workshop, or factory, or for the preparation or storage of food, and no basement shall be used unless it is well lit and ventilated and is free from damp and is rendered rat-proof to the satisfaction of the Medical Officer of Health.

Basements not to be occupied without permission

99. The Minister may, by statutory instrument, make regulations for the conduct and inspection of lodging-houses and no person shall open or keep open a lodging-house unless the house is registered and the keeper thereof is licensed by the Local Authority.

Lodging-houses to be registered and the keeper licensed

(As amended by No. 17 of 1957 and G.N. No. 291 of 1964)

100. (1) A person shall not open or keep open a nursing home, convalescent home, private hospital, infirmary or any institution where invalids or convalescents are treated or received upon payment of fees or charges unless the house is registered and the keeper thereof licensed by the Director of Medical Services.

Nursing homes to be licensed

(2) The Director of Medical Services may authorise a medical practitioner on his behalf to visit any such premises as in this section mentioned to report to him upon any matter or thing connected with the premises or the use thereof.

Nursing homes may be inspected

(3) Any person who knowingly obstructs an authorised medical practitioner in any such inspection as is authorised by the Director of Medical Services and in rules shall be guilty of an offence.

Obstructing an inspection

101. When in the opinion of the Local Authority additional public latrine accommodation is required in any locality upon unalienated State Land, the Local Authority shall apply in writing to the Minister, specifying the site upon which it desires the erection of a public latrine, and the accommodation to be provided by such latrine, and the Minister shall, after due inquiry, give his decision on the matter.

Board may apply to Minister for land for additional public latrines

(As amended by G.N. No. 291 of 1964)



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102. (1) If the Minister, upon the advice of the Board, is satisfied that it is necessary for the protection of public health within the boundaries of a township so to do, he may, by statutory order, prohibit or restrict the growing of any crop or the irrigation of any land within any area within 4.827 kilometers of the boundary of such a township.

Control of crops and irrigation

(2) The Minister may, by statutory instrument, make regulations for ensuring that the health of the inhabitants of a district may be safeguarded in respect of-

- (a) the prevention of pools of standing water;
- (b) the drainage and control of such pools when they exist;
- (c) the inspection, repair and cleansing of open channels, canals and drains.

(As amended by No. 64 of 1953 and No. 69 of 1965)

103. (1) The Minister may provide for the inspection, sampling and examination, by officers of the Department of Health, of vaccines, vaccine lymphs, sera, and similar substances imported into or manufactured in Zambia and intended or used for the prevention or treatment of human diseases, and may prohibit the importation, manufacture, or use of any such substance which is considered to be unsafe or to be liable to be harmful or deleterious.

Supervision of importation or manufacture of vaccines, etc.

(2) The Minister may, by statutory instrument, make such regulations as he may consider necessary for properly carrying out the provisions of this section.

PART XV

MISCELLANEOUS PROVISIONS

104. Notices, orders, and other documents under this Act, may be in writing or print, or partly in writing and partly in print, and if the same require authentication by the Board, or a Local Authority, the signature thereof respectively by the secretary, Town Clerk, Sanitary Inspector or District Secretary, as the case may be, shall be sufficient authentication.

Notices, etc. may be printed or written

(As amended by No. 9 of 1937)

105. Notices, orders and other documents required or authorised to be served under this Act may be served by delivering the same to or at the residence of the person to whom they are respectively addressed, or where addressed to the owner or occupier of premises by delivering the same, or a true copy thereof, to some person on the premises, or if there be no person on the premises who can be served by fixing the same on some conspicuous part of the premises; they may also be served by post by a prepaid letter, and if served by post shall *prima facie* be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service it shall be sufficient to prove that the notice, order or other document was properly addressed and put in the post.

Service of notices

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106. The Deputy Director of Medical Services, the Chief Health Officer, any Health Officer, Medical Officer of Health, Port Health Officer or Government Medical Officer may, with the authority and on behalf of the Director of Medical Services, discharge any of the duties or functions of the Director of Medical Services, and any duties imposed or powers conferred by this Act on Medical Officers of Health, Port Health Officers, or Medical Officers may be carried out or exercised by the Director of Medical Services, Deputy Director of Medical Services, Chief Health Officer or any Government Medical Officer designated by the Director of Medical Services for that purpose.

Powers and duties of officers of Health Department

107. No defect in the form of any notice or order made under this Act shall invalidate or render unlawful the administrative action, or be a ground for exception to any legal proceedings which may be taken in the matter to which such notice or order relates, provided the requirements thereof are substantially and intelligibly set forth.

Defect in form not to invalidate notices, etc.

108. (1) Any Medical Officer of Health or Sanitary Inspector, or Port Health Officer, or any police officer of or above the rank of Sub-Inspector, or any other person generally or specially authorised in writing by the Director of Medical Services, Medical Officer of Health, or Local Authority, may, at any hour reasonable for the proper performance of the duty, enter any land or premises to make any inspection or to perform any work or to do anything which is required or authorised by this Act or any other written law to be done, if such inspection, work or thing is necessary for or incidental to the performance of his duties or the exercise of his powers.

Powers of entry and inspection of premises and penalties for obstruction

(2) Any person who fails to give or refuses access to any officer, inspector or person mentioned in or authorized under subsection (1), if he requests entrance on any land or premises, or obstructs or hinders him in the execution of his duties under this Act, or who fails or refuses to give information that he may lawfully be required to give to such officer, inspector or person, or who gives to such officer, inspector or person false or misleading information knowing it to be false or misleading, or who prevents the owner or any of his servants or workmen from entering any land or dwelling or premises for the purpose of complying with any requirement under this Act, shall be guilty of an offence.

(As amended by Act No. 47 of 1963)

109. Any person guilty of an offence against or contravention of, or default in complying with, any provision of this Act shall, if no penalty is expressly provided for such offence, contravention or default, be liable on conviction to a fine not exceeding seven hundred and fifty penalty units, and if the offence, contravention, or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which he shall make default provided that, where the offence is in respect of any building or premises for which a licence is required under any law for the time being in force, the court before which any such conviction is obtained may in addition to or in substitution for any of the aforesaid penalties revoke or suspend such licence.

Penalties where not expressly provided

(As amended by Act No. 13 of 1994)

110. Where a contravention of any of the provisions of this Act is committed by any company or corporation, the secretary or manager thereof may be summoned and shall be held liable for such contravention and the consequences thereof.

Liability of secretary or manager of company

111. Where proceedings under this Act are competent against several persons in respect of the joint act or default of such persons, it shall be sufficient to proceed against one or more of them without proceeding against the others.

Proceedings against several persons

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112. A Local Authority may, by any of its officers, or by any person generally or specially authorised in writing by the Mayor or chairman thereof, prosecute for any contravention of, or offence against, or default in offence against, or default in complying with any provision of this Act or any regulation made or deemed to be made thereunder, if the contravention, offence, or default is alleged to have been committed within or to affect its district.

Prosecutions

(As amended by No. 36 of 1965)

113. Nothing in any law specially governing any Local Authority shall be construed as preventing such Local Authority from exercising any power or performing any duty under this Act by reason only that in exercising such power or performing such duty it must do some act or thing or incur expenditure outside its district.

Power of Local Authority outside its district

114. The Minister shall have power, by statutory instrument, to make regulations generally for the carrying out of the purposes of this Act.

Regulations

(As amended by Act No. 51 of 1963)

115. For the purposes of Part IX, where the nuisance within the district of a Local Authority appears to be wholly or partially caused by some act or default committed or taking place without its district, the Local Authority may take or cause to be taken against any person in respect of such act or default any proceedings in relation to nuisances and authorised by this Act, with the same incidence and consequences, as if such act or default were committed or took place wholly within its district.

Power to proceed where cause of nuisance arises without district

(No. 34 of 1930)

116. Where in any district no Medical Officer of Health is immediately available and where the circumstances render immediate action necessary for the prevention of the spread of disease or generally for safeguarding the health and well-being of the community, the Local Authority may exercise the powers conferred and perform the duties imposed by this Act on a Medical Officer of Health.

Emergency powers of Local Authority

(No. 34 of 1930)

SCHEDULE

PRESCRIBED FORMS

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FORM 1
(Section 41)

CERTIFICATE OF UNFITNESS FOR VACCINATION

I, the undersigned, hereby certify that in my opinion..... is not now in a fit and proper state to be vaccinated, and I do hereby recommend that the vaccination be postponed for the period of six months from this date.

Dated this.....day of.....19.....

.....
*Medical Practitioner or Public
Vaccinator*



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FORM 2
(Section 42)

CERTIFICATION OF INSUSCEPTIBILITY TO SUCCESSFUL VACCINATION

I, the undersigned, hereby certify that I have three times unsuccessfully vaccinated.....(or that.....has already had smallpox as the case may be) and I am of opinion that the said..... is insusceptible of successful vaccination.

Dated this.....day of.....19....

.....
*Medical Practitioner or Public
Vaccinator*



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FORM 3
(Section 43)

CERTIFICATE OF SUCCESSFUL VACCINATION

I, the undersigned, hereby certify that.....has been successfully vaccinated by me.

Dated this.....day of.....19....

.....
*Medical Practitioner or Public
Vaccinator*



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SUBSIDIARY LEGISLATION

PUBLIC HEALTH

SECTION 3-THE CENTRAL BOARD OF HEALTH REGULATIONS

Regulations by the President

Government Notices
 27 of 1931
 128 of 1939
 7 of 1950
 178 of 1954
 291 of 1964
 497 of 1964
 Act
 51 of 1963

1. These Regulations may be cited as the Central Board of Health Regulations. Title
(As amended by Act No. 128 of 1939)

2. In these Regulations, unless the context otherwise requires- Interpretation

 "chairman" means the chairman of the Board;

 "member" means a member of the Board;

 "secretary" means the secretary of the Board.

3. The functions of the Board shall be to advise the Minister on all matters affecting the public health. Functions of the Board

(As amended by Act No. 291 of 1964)

4. The Board shall meet for the despatch of business as often as may be necessary, but not less than once in every six months. Number of meetings

(As amended by Act No. 7 of 1950)

5. The chairman may at any time call a meeting of the Board and shall, on the request in writing of not less than four members, call a special meeting of the Board to be held within fourteen days of the presentation of such request. Every meeting shall be convened by notice signed by the secretary and circulated by him among all the members. Convening of meetings



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6. No business except that of adjournment shall be transacted unless there shall be present at least three members, of whom the Director of Medical Services shall be one. Quorum

(No. 128 of 1939 as amended by Acts No. 178 of 1954 and No. 51 of 1963)

7. All questions brought forward for consideration by the Board shall be decided by a majority of votes, and the chairman shall have an original vote in common with other members, and also a casting vote if upon any question the votes shall be equal. Decision of questions by a majority

8. Minutes shall be regularly kept by the secretary of all the proceedings of the Board, and at each meeting the minutes of the last preceding meeting shall be confirmed or amended, as the case may require, and signed by the chairman or deputy chairman before proceeding to the despatch of any other business. Minutes of proceedings to be kept

9. An allowance in accordance with Government rates as laid down from time to time shall be payable to every member who is not a public officer for every day spent away from his place of business in the transaction of the business of the Board. Allowances payable to members

(Act Act No. 51 of 1963)

10. Any member appointed to the Board by the President may vacate his membership by notice in writing to the President. Vacating of membership

SECTION 9 (2)-NOTIFIABLE DISEASES

The following are hereby declared to be notifiable diseases under the Act: Government Notice 85 of 1944
acute encephalomyelitis, acute polioencephalitis, acute bulbar polioencephalitis, acute bulbar paralysis, encephalitis lethargica and Landry's paralysis (or acute ascending paralysis).

It is hereby declared that-

- (a) malaria shall be a notifiable disease under the Act;
- (b) only the provisions of paragraphs (c), (d) and (e) of subsections (1) and of subsection (2) of section *ten* and of sections *thirteen* and *fourteen* of the Act shall apply to such notifiable disease;
- (c) the provisions of the Act, as regards the notification of malaria, shall be restricted to the City of Lusaka and the City of Ndola.

Federal Government Notice 96 of 1961

THE PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS

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ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Responsibility for notification of infectious diseases
3. Responsibility of chief or headman
4. Schools
5. Private practitioner's certificate
6. Penalty for failure to give notice
7. Register to be kept
8. Inspection of register
9. Returns by Registrars of Births and Deaths
10. Returns to Director of Medical Services
11. Powers for the control of infectious disease
12. Powers of search
13. Duty of police and Local Authority
14. Infected area
15. Medical inspection of travellers
16. Disinfection of clothing
17. Persons resident in infected areas
18. Conditions precedent to departure from an infected area
19. Period of observation
20. Closing of premises
21. Removal of property from infected premises
22. Disposal of bodies
23. Infected clothing, etc.
24. Police to assist Medical Officer of Health
25. Assistance by police and Local Authority
26. Duty to notify mortality among rodents
27. Chiefs and headmen to report
28. Instructions to be given
29. Control of public meetings, etc.
30. Destruction of rats and mice
31. Penalty
32. Power of Local Authority or Medical Officer of Health to take measures for destruction of rats and mice
33. Powers of entry
34. Instructions by Medical Officer of Health to be obeyed
35. Rat-proof buildings
36. Disinfection of bodies of dead rats
37. Disposal of refuse and sewage
38. Erection of temporary dwellings by rural councils

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Ministry of Health



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FIRST SCHEDULE-Prescribed forms

SECOND SCHEDULE-Exclusion from school on account of infectious disease

SECTIONS 12, 28, 103 AND 114-THE PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS

Regulations by the Minister

Government Notices

143 of 1931
 198 of 1933
 12 of 1937
 281 of 1941
 229 of 1943
 198 of 1948
 179 of 1951
 176 of 1954
 59 of 1957
 178 of 1957
 291 of 1964
 497 of 1964
 500 of 1964

Federal Government Notices

135 of 1961
 262 of 1961

Act

51 of 1963

Statutory Instrument

154 of 1968

Act

13 of 1994

1. These Regulations may be cited as the Public Health (Infectious Disease) Regulations.

Title

2. Every owner or occupier of land, manager of a mine and employer of labour, on becoming aware that any person residing on his premises or in his employ is suffering from any notifiable infectious disease, shall immediately give notice thereof to a Medical Officer of Health or, in a district for which no such officer has been appointed, to the Local Authority.

Responsibility for notification of infectious diseases

3. The chief or headman of any village shall forthwith, on becoming aware or having reason to suspect that any person residing in that village is suffering from any notifiable infectious disease, give notice thereof to a Medical Officer of Health or, in a district for which no such officer has been appointed, to the Local Authority.

Responsibility of chief or headman

4. (1) Every person in charge of a school, orphanage or other similar institution shall immediately report to a Medical Officer of Health or, in a district for which no such officer has been appointed, to the Local Authority the occurrence in such institution of any case of any notifiable infectious disease or of German measles, infective parotitis or mumps, venereal disease, acute conjunctivitis, acute or granular ophthalmia or any disease of the skin or scalp which appears to be infectious or communicable.

Schools



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(2) Such reports shall be in writing and shall state, as regards each case, the name, age, sex, nationality and home address of the patient, the nature of the disease, the date of the onset of illness, and any available information as to the probable place and source of infection.

5. Every medical practitioner attending on or called in to visit any patient shall forthwith, on becoming aware or having reason to suspect that the patient is suffering from any notifiable infectious disease, send to a Medical Officer of Health or, in a district for which no such officer has been appointed, to the Local Authority a certificate in Form 1 in the First Schedule, or in such other form as may from time to time be substituted thereof by the Director of Medical Services, stating the name of the patient, the situation of the building and the disease from which, in the opinion of such medical practitioner, the patient is suffering.

Private practitioner's certificate

(As amended by Acts No. 176 of 1954 and No. 51 of 1963)

6. Every person required by these Regulations to give notice or to give a certificate who fails to give the same shall be liable on conviction to a fine not exceeding one hundred and twenty penalty units.

Penalty for failure to give notice

(As amended by Act No. 13 of 1994)

7. Every Medical Officer of Health and, where no such officer has been appointed, every Local Authority shall keep a register of the notifications of cases of notifiable infectious disease received, and showing, in respect of each case, the name, age, sex, nationality and address of the patient, the nature of the disease, the date of the onset of illness, where employed or what school attended, probable place and source of infection, name of the medical practitioner notifying and action taken by the responsible authority.

Register to be kept

8. Every register under the last preceding regulation shall be available for inspection by the Director or Deputy Director of Medical Services or any officer authorised thereto by them.

Inspection of register

(As amended by Acts No. 176 of 1954 and No. 51 of 1963)

9. Every Registrar of Births and Deaths shall-

Returns by Registrars of Births and Deaths

(a) furnish forthwith to a Medical Officer of Health or, where no such officer has been appointed, to the Local Authority particulars of every death from notifiable infectious disease registered with him;

(b) furnish on every Monday to a Medical Officer of Health or, where no such officer has been appointed, to the Local Authority particulars of every birth and death registered with him during the week ending the previous Saturday.

10. Every Medical Officer of Health or, where no such officer has been appointed, the Local Authority shall transmit to the Director of Medical Services on Monday of each week a return in Form 2 in the First Schedule of the notifiable diseases occurring in his or its district for the preceding week, and shall at the same time forward any information he or it may possess as to the outbreak or prevalence of any infectious disease in such district. Where no notifiable infectious diseases have occurred, a "nil" return shall be similarly transmitted.

Returns to Director of Medical Services

(As amended by Acts No. 179 of 1951, No. 176 of 1954 and No. 51 of 1963)

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11. When any case of infectious or suspected infectious disease is notified to a Medical Officer of Health, he may immediately visit and inspect, or appoint some fit and proper person to visit and inspect, the individual alleged to be suffering from the infectious disease, and if, as a result of such visit and inspection, the Medical Officer of Health has reason to believe that such individual may be suffering from an infectious disease, he may order such individual and all individuals who have been in contact with the case to remain on the premises where the case was at the time of infection, or he may cause them to be removed to an Infectious Disease Hospital, or other suitable place provided for the reception of cases suffering from infectious disease or for the segregation of contacts.

Powers for the control of infectious disease

(As amended by F.G.N. No. 262 of 1961)

12. A Medical Officer of Health or any Health Inspector or other person acting on the written instructions of a Medical Officer of Health may enter any premises to search for any case of infectious disease, or to inquire whether there is or has been on such premises any case of infectious disease. If a Health Inspector or other person as aforesaid shall find any case or suspected case of infectious disease, he shall report the same to the Medical Officer of Health.

Powers of search

13. The officer in charge of the police in any place and every Local Authority shall afford every assistance to a Medical Officer of Health in effecting the isolation of infected cases, suspects or contacts.

Duty of police and Local Authority

14. (1) Whenever an infectious disease shall have broken out in any place and it is deemed necessary for preventing the spread of or eradicating such infectious disease, the Minister may, by statutory notice, declare such place or any portion thereof to be an infected area, and may in like manner order the evacuation of the whole or any part of such infected area.

Infected area

(2) It shall not be lawful for any person to reside or carry on business within any infected area or portion thereof which is comprised in an order for evacuation, or to enter or be therein, except when passing along a thoroughfare allowed to remain open to the public, without an order in writing to that effect signed by a Medical Officer of Health and upon such conditions as such Medical Officer of Health may in such order direct.

(As amended by Act No. 291 of 1964)

15. (1) Every person travelling by land, water or air from a declared infected area may, if it be considered necessary by a Medical Officer of Health, be subjected to medical inspection or examination by him or by anyone authorised in writing by him prior to being permitted to proceed on his journey.

Medical inspection of travellers

(2) A person who refuses to submit to medical examination shall not leave the infected area.

(3) Any persons discovered with suspicious symptoms shall be detained and dealt with as a Medical Officer of Health may direct.

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16. The clothing and effects of any person proceeding from a declared infected area may be disinfected at the discretion of a Medical Officer of Health. Disinfection of clothing

17. All persons residing in a declared infected area shall undergo such medical inspection or examination as a Medical Officer of Health may direct. The Medical Officer of Health may place all or any persons in such area under observation in a place decided upon by him or under surveillance, as he may consider necessary. Persons resident in infected areas

18. (1) Every person permitted to leave a declared infected area under surveillance shall comply with the following conditions: Conditions precedent to departure from an infected area

- (a) he shall satisfy a Medical Officer of Health as to his name, intended destination and his place of residence thereat, and that such is conveniently situated for medical supervision;
- (b) he shall present himself for medical supervision during the prescribed period; and he may be required by a Medical Officer of Health to deposit a sum not exceeding ten kwacha, which may be forfeited if he fails so to present himself.

(2) If the Medical Officer of Health be not satisfied as herein required or if the person fail to comply with paragraphs (a) and (b) of sub-regulation (1), the Medical Officer of Health shall detain him under observation or direct him to proceed to a specified place and there remain under observation during the prescribed period. In the latter case, the provisions of paragraph (b) of sub-regulation (1) may, at the discretion of the Medical Officer of Health, be applied to such person.

19. When any person from a declared infected area is placed under observation or surveillance, the period of observation or surveillance shall be as follows: Period of observation

- (a) when observation is resorted to, the period shall not exceed seven days in the case of plague and cholera, six days in the case of yellow fever or cerebro-spinal meningitis, and fourteen days in the case of smallpox;
- (b) when surveillance is resorted to, the period shall be the same as that of observation; save in the case of plague, when it may be extended to a period not exceeding ten days.

In applying these measures, the period of observation or surveillance may extend from the date of removal from the infected area, but only if no subsequent case has occurred among those under observation or surveillance.

If any further case of the same disease occur, the period of observation may date from the day of the isolation of the last case;

- (c) a Medical Officer of Health shall prescribe the periods of observation and surveillance in the event of any other infectious disease.

20. A Medical Officer of Health may close any premises whereon there has been a case or suspected case of infectious disease, until he considers the place fit for human occupation, and may also close, until he considers the same to be disinfected, any buildings, latrines, wells, dustbins, dumping grounds and any place which, by reason of the existence of infectious disease, he may deem it advisable to close. Closing of premises

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21. No person shall remove any property from any infected premises, or from any premises whereon a suspected case of infectious disease has occurred, without the written permission of a Medical Officer of Health. Removal of property from infected premises

22. The bodies of all persons who have died from an infectious disease shall be disposed of in conformity with the directions of a Medical Officer of Health. Disposal of bodies

23. All clothing, bedding and any other articles worn or taken by the persons ordered to evacuate an infected area shall be disinfected. Infected clothing, etc.

24. The police shall furnish every assistance to a Medical Officer of Health in effecting the evacuation of any infected area and in the necessary measures pertaining thereto. Police to assist Medical Officer of Health

25. On the occurrence of an infectious disease in any place, a Medical Officer of Health may call on the police or Local Authority or both to assist in the establishing of a cordon round such place for the purpose of preventing all or any persons entering or leaving such place. Assistance by police and Local Authority

26. Every person who becomes aware of any apparently unnatural mortality among rats or mice on any land or premises shall forthwith report the same to a Medical Officer of Health or, where no such officer has been appointed, to the Local Authority. Duty to notify mortality among rodents

27. The chief or headman of a village shall forthwith, on becoming aware or having reason to suspect that any apparently unnatural mortality is occurring among the rats or mice in that village, give notice thereof to a Medical Officer of Health or, where no such officer has been appointed, to the Local Authority. Chiefs and headmen to report

28. For the carrying into effect of the last two preceding regulations, a Local Authority or Administrative Officer shall, if required by a Medical Officer of Health, notify the chiefs, headmen and people residing in any town, village or district that it is their duty to report all cases of sickness or death among rats or mice and instruct them as to the officer to whom such report shall be made. Instructions to be given

(As amended by Act No. 500 of 1964)

29. (1) When it may appear to a Medical Officer of Health that the holding of public meetings, funeral ceremonies or customs is likely to tend to the spread of any infectious disease, any police officer of or above the rank of Assistant Inspector or Local Authority shall, if requested by the Medical Officer of Health, prohibit such meetings, funeral ceremonies or customs. Control of public meetings, etc.

(2) Any person who is present at or takes part in any meeting, ceremony or custom which has been prohibited shall be liable to a fine of one hundred and fifty penalty units

(As amended by Acts No. 500 of 1964 and No. 13 of 1994)

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30. It shall be the duty of every Local Authority to cause to be made, from time to time, inspection of its district with a view to ascertaining whether any lands or premises within such district are infested with rats or mice, and to enforce their destruction.

Destruction of rats and mice

31. Any person who shall fail to take such steps or carry out such orders for the destruction of rats or mice on or in any land or premises as may from time to time be directed or given by a Local Authority or by a Medical Officer of Health shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding three hundred penalty units.

Penalty

(As amended by Act No. 13 of 1994)

32. Where a Local Authority or Medical Officer of Health is of opinion that the owner or occupier of any land or premises in the district has failed to take such steps or carry out such orders as may be directed or given by any Local Authority or Medical Officer of Health, such Local Authority or Medical Officer of Health may either serve a notice on the owner or occupier requiring him to take such steps or execute such works as are prescribed in the notice within a time specified therein, or, after not less than twenty-four hours' previous notice to the owner or occupier, enter upon the land or premises and take such steps as are necessary and reasonably practicable for the purpose of destroying the rats and mice on the land or premises or of preventing the land or premises from becoming infested with rats and mice, and may recover any reasonable expenses so incurred from the owner or occupier as a civil debt.

Power of Local Authority or Medical Officer of Health to take measures for destruction of rats and mice

33. A Medical Officer of Health, Health Inspector or any person duly authorised in writing by the Local Authority or a Medical Officer of Health may enter any land or premises for the purpose of ascertaining whether the steps required by regulation 32 are being taken, or of carrying out these Regulations in any other respect.

Powers of entry

34. When any infectious disease occurs, a Medical Officer of Health may prescribe any measures which he considers necessary to ensure the destruction of rats, mice and other kinds of vermin and of mosquitoes, their larvae and pupae, fleas, bugs or any other such parasites, and all persons shall obey any instruction given by a Medical Officer of Health in this behalf.

Instructions by Medical Officer of Health to be obeyed

35. (1) To prevent the spread of plague, the owner or occupier of any premises shall, if required by a Medical Officer of Health, render all roofs, partitions, floors and plinths of houses rat-proof.

Rat-proof buildings

(2) No foodstuffs attractive to rats shall be kept in inhabited premises unless such foodstuffs are effectively protected against rats and mice to the satisfaction of a Medical Officer of Health.

36. On the occurrence of plague in any locality, all rats and mice caught or killed or found dead on any premises in the vicinity of that locality shall, as soon as possible, be placed by the owner or occupier in a strong solution of disinfectant, and the bodies of such rats or mice shall be subsequently removed and disposed of to the satisfaction of a Medical Officer of Health.

Disinfection of bodies of dead rats



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37. When an infectious disease occurs in any place, the occupiers of premises in such place shall comply with any directions given by a Medical Officer of Health with regard to the disposal of refuse and sewage.

Disposal of refuse and sewage

38. On the occurrence of an outbreak of infectious disease, a Local Authority may, if requested by a Medical Officer of Health, require any rural council within its district to make an order for the erection of temporary dwellings, mortuaries and similar buildings, as he may deem necessary.

Erection of temporary dwellings by rural councils

39. (1) When an animal is suffering from a contagious or infectious disease which can be transmitted to human beings, or a carcass, whether the animal has died or been slaughtered, has been found on examination to be infected with such disease, the place occupied by such animal or carcass shall be forthwith disinfected by and at the expense of the owner or occupier of such place, to the satisfaction of the Medical Officer of Health or a Veterinary Officer.

Disease in animals communicable to man

(2) The owner of the infected animal, the owner of the place which was occupied by such animal or carcass, and the person, if any, who slaughtered the animal shall inform a Veterinary Officer on becoming aware of the presence of such disease.

40. Any Veterinary Officer or private veterinary practitioner, on becoming aware of the occurrence of any infectious or contagious disease in animals which can spread from animals to human beings, shall forthwith notify a Medical Officer of Health and shall at the same time inform him of what action he is taking to prevent such spread.

Notification of infectious disease in animals

41. (1) A Local Authority, upon production of a certificate signed by a Medical Officer of Health that any person has been bitten by any animal suffering from the disease of rabies and that such person is, in the opinion of such Medical Officer of Health, liable to develop the disease of rabies and that it is advisable that he may be subjected to treatment and/or observation, may make an order compelling such person to reside in any segregation hospital or any other place until discharged by the Medical Officer of Health in charge of that area, and such person shall be deemed to be suffering from such disease and be subject to all rules and regulations made in pursuance of the Act.

Rabies

(2) The Local Authority shall, in making any order under the provisions of sub-regulation (1), forthwith report the same to the Director of Medical Services, who shall have power to vary or rescind the same.

(As amended by Acts No. 176 of 1954 and No. 51 of 1963)

42. (1) In this regulation, "carrier" means a person who, though not at the time presenting the clinical symptoms of an infectious disease, has been proved or is believed on reasonable grounds to be harbouring the infection of, and consequently liable to cause the spread of, such disease.

Carriers

(2) Any person believed or suspected on reasonable grounds by a Medical Officer of Health to be a carrier shall afford to such officer or any person authorised by him in writing every facility for obtaining specimens of blood, excreta, discharges or other material required for examination and investigation, and shall take any medicine prescribed by such officer for that purpose.

Inspection and treatment of carriers



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(3) Where it is certified by a Medical Officer of Health that any person is believed or suspected on reasonable grounds to be a carrier and that the necessary examinations and investigations cannot be properly carried out at such person's house or place of residence, an Administrative Officer may make an order requiring such person to proceed or be removed to a hospital or other suitable place for the purpose of examination and investigation and to remain or be detained therein for such reasonable period as may be required for that purpose.

Removal to hospital of carriers

(4) Every carrier shall at all times observe and give effect to all reasonably practicable instructions given to him by a Medical Officer of Health in regard to the disposal of his excreta, and cleansing of articles used by him or other precautions for preventing the spread of infection.

Preventive measures

(5) Every carrier shall inform a Medical Officer of Health or, where no such officer has been appointed, the Local Authority of his intention to change his place of residence or work and of his intended new place of residence or work. Such information shall, when possible, be furnished not less than seven days before the change and, if his new place of residence or work is within the district of another Medical Officer of Health or Local Authority, the Medical Officer of Health or Local Authority of the district in which the carrier at the time resides shall inform that Medical Officer of Health or Local Authority of the facts of the case and the carrier's intention.

Notification of change of residence of carrier

(6) Where, on the certificate of a Medical Officer of Health, it appears to an Administrative Officer that a person is a carrier, the Administrative Officer, on the application of such Medical Officer of Health and after due inquiry, may, having regard to the nature of the infection and any material assistance which the Local Authority or the Government is prepared to give to mitigate hardship to the individual or his dependants, make, and may from time to time modify, alter, extend or rescind, an order or orders requiring such person-

Powers of Administrative Officers to make orders as to carriers

- (a) to proceed or be removed to and to remain or be detained for a period to be specified in such order in a hospital or other suitable place for the purpose of medical treatment;
- (b) to attend regularly for medical treatment or examination at times and places specified in such order;
- (c) to proceed to and remain in a specified locality or area under medical surveillance for a period specified in such order and (if considered necessary) to attend or report himself at times and places specified in such order;
- (d) not to handle or otherwise come in contact with food or vessels or articles containing or used to contain, or which come in contact with, food intended for consumption by others, or to engage in any occupation entailing the handling or coming in contact with such food, vessels or articles;
- (e) to comply with such other requirements specified in such order as the Administrative Officer, on the application of such Medical Officer of Health, may deem necessary for safeguarding the public health.

(7) The parent or guardian or person in charge of a child who is, or is believed or suspected on reasonable grounds to be, a carrier shall assist in every possible manner in the carrying out of these Regulations or any order made thereunder in respect of such child.

Duty of parent of carrier

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(8) It shall be the duty of all Medical Officers of Health and Administrative Officers to ensure that these Regulations are carried out sympathetically and without more hardship to any person than is necessary and unavoidable in the public interest. Sympathetic enforcement of regulations

(9) Any person found guilty of a contravention of or failure to comply with this regulation or any order made thereunder, or of failure to assist in their enforcement, shall be liable to the penalties provided by the Act. Penalty

(As amended by Acts No. 198 of 1933 and No. 500 of 1964)

43. When it appears from the certificate of a Medical officer of Health that the conditions on any land or premises favour the multiplication or prevalence of mosquitoes, and that the occurrence or spread of malaria or other disease is likely to be favoured thereby, a Local Authority may and, if called on to do so by the Director of Medical Services, shall give written notice to the owner or occupier thereof requiring him to remove or improve any such condition. Malaria and mosquito prevention

(As amended by Acts No. 281 of 1941, No. 176 of 1954 and No. 51 of 1963)

44. (1) Every notice under the last preceding regulation shall specify the land or premises concerned and the measures required to be carried out. Particulars of notice

(2) Such notice may require the owner or occupier to clear bush or other vegetation, canalise streams, spruets or dambos, drain swamps and pools or low-lying areas, regularise or stem water furrows, repair or remove tanks or other water containers, and take measures for the destruction of mosquitoes and for preventing their multiplication to the satisfaction of a Medical Officer of Health, and may impose a time limit for the completion of the work or the carrying out of the measures therein specified.

(As amended by Act No. 281 of 1941)

45. If any owner or occupier refuses to carry out the measures specified in any notice under these Regulations, or fails to do so within the time limit imposed, a Local Authority may and, if so instructed by the Director of Medical Services, shall, by persons duly authorised thereto, carry out such measures. The costs incurred in so doing shall be recoverable by the Local Authority from the person upon whom the notice was served. Power of Local Authority to carry out remedial measures

(As amended by Acts No. 176 of 1954 and No. 51 of 1963)

46. Any person who fails to carry out or comply with the terms of a notice served under regulation 44 shall be liable, on conviction, to the penalties provided by the Act. Penalties

47. (1) Any owner or occupier of any building provided with roof gutters shall so construct and maintain them as to be self-draining and capable of remaining dry between rainfalls. Roof gutters



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(2) Where gutters are found not to be self-draining, a Medical Officer of Health may serve a notice upon the owner of the building calling on him to remove or repair or perforate such roof gutters within a specified time. Failure to comply with the terms of the notice shall render the owner liable to a penalty of one hundred and fifty penalty units in addition to a further penalty of thirty penalty units for each day the nuisance continues.

(As amended by Acts No. 281 of 1941 and No. 13 of 1994)

48. The landlord of any hotel, boarding-house, lodging-house and any building where persons are accommodated for payment shall provide and keep in good order and repair and in a state of cleanliness a mosquito net for each bed in each room used for sleeping purposes. Hotels, etc., to supply mosquito nets

49. No person shall permit any manure or garbage on his premises or land, so as to be a nuisance or dangerous to health by affording facilities for breeding by flies or other insects, and the owner or occupier of any premises or land omitting to remove or remedy the nuisance, when duly notified of its existence, shall, at the expiration of such period as may be prescribed in writing by a Medical Officer of Health, be guilty of an offence. Manure and garbage

50. No person shall expose for sale any food to be eaten in the state in which it is sold, except with due care for the prevention of flies or other vermin having access to it. Food protection

51. (1) Any Medical Officer of Health, or other officer specially authorised thereto by the Director of Medical Services, may inspect, take samples of and examine or may require the furnishing for examination of samples of any vaccine, vaccine lymph, serum or similar substance imported into or manufactured in Zambia and intended or used for the prevention or treatment of human disease. Inspection of vaccine, etc.

(2) The Director of Medical Services may, by statutory notice, or by order on the person concerned pending the publication of such notice, prohibit the importation, manufacture, sale or use of any such vaccine, vaccine lymph, serum or similar substance which is considered to be unsafe or to be liable to be harmful or deleterious. Power to prohibit importation of harmful vaccines

(3) In order to enable the proper carrying out of these Regulations, it shall not be lawful for any person to import, manufacture, sell or use any such vaccine, vaccine lymph, serum or similar substance unless the bottle, package or container bears or has affixed to it a label stating the name and address of the manufacturer and either the date of manufacture or the date after which the substance is not recommended for use. Particulars required to be stated on vaccine containers

(As amended by Acts No. 176 of 1954 and No. 51 of 1963)

52. No person shall import, convey or transmit into Zambia any culture or preparation of any pathogenic micro-organism or other material capable of causing disease in man without first obtaining the written permission of the Director of Medical Services therefor. Such permission may be general or special and shall be subject to such conditions or requirements as may be specified therein. Importation of cultures without permission prohibited

(As amended by Acts No. 176 of 1954 and No. 51 of 1963)



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53. No person shall keep, transmit or use any culture or preparation of any pathogenic micro-organism or other material capable of causing any disease without first obtaining the written permission of the Director of Medical Services therefor. Such permission may be general or special and shall be subject to such conditions or requirements as may be specified therein. This regulation shall not apply to diagnostic examination by medical practitioners or approved veterinary surgeons, or to the transmission from places within Zambia of specimens or material for such examination.

Use of cultures without permission prohibited

(As amended by Act No. 51 of 1963)

54. Every person transmitting, keeping or using any culture or preparation of any pathogenic micro-organism or other material capable of causing disease in man shall be responsible for the taking at all times of effective measures to ensure the proper and safe keeping, transmission or use of such material and to prevent or guard against any accidental contamination with or dissemination of the infection.

Precautions to be observed in keeping cultures

55. Any Medical Officer of Health, or other officer specially authorised thereto by the Director of Medical Services, may at any time make any inspection or examination in order to ascertain whether the requirements of these Regulations or the conditions of any permit issued thereunder are being properly complied with. Where it appears to the said Director that any person has not properly complied with any such requirement or condition, the said Director may make an order prohibiting such person from importing, conveying, transmitting, keeping or using any culture or preparation of any pathogenic micro-organism or other material capable of causing disease in man, and for the seizure or destruction by a Government Medical Officer of any such culture, preparation or material in the possession or custody of such person.

Powers of Director of Medical Services and other officers

(As amended by Acts No. 176 of 1954 and No. 51 of 1963)

56. Nothing in regulations 51 to 55 inclusive shall prevent the Director of Veterinary Services from giving permission for the importation, manufacture, sale or distribution of sera, vaccines, lymph or similar substances or for the importation, conveyance or transmission of any pathogenic micro-organisms or other material, whether for diagnostic, experimental, prophylactic or other use, for veterinary purposes only.

Director of Veterinary Services may authorise importation of vaccines, etc., for veterinary purposes

57. Where a cleansing station is provided within the district of a Local Authority or within a reasonable distance therefrom, any person within that district certified by a Medical Officer of Health, School Medical Inspector or other medical practitioner or by a Health Inspector to be dirty or verminous may, on the order of a Medical Officer of Health, be removed, together with his clothing and bedding, to such cleansing station and be cleansed therein.

Cleansing of verminous persons

***(3)58.** (1) Every consignment (exclusive of the personal effects of travellers) of bedding, blankets, body linen or other articles of clothing which have been in use, or any rags, or flock made of rags, or any used sacks, carpets, or canvas or any similar article which has been in use, which is brought into any place in Zambia shall be declared as second-hand by the importer to the Customs, and a certified statement submitted by him showing the place of origin and precise composition of the consignment.

Importation and disinfection of used clothing

*Note-This regulation has been suspended by G.N. No. 229 of 1943 in so far as it relates to seconds-hand clothing.



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(2) Every such consignment or any portion thereof intended for sale or disposal in Zambia shall be accompanied by a sufficient certificate furnished by a recognised Public Authority at the port of shipment or place of origin of the package to the effect that the articles mentioned therein are clean and have been sufficiently disinfected to the satisfaction of such Authority, and stating in detail the method of disinfection and the apparatus used, together with a certificate or other satisfactory evidence that, since the issue of the certificate of disinfection, the package has not been opened nor its contents in any way added to or tampered with. Every such consignment, whether accompanied by the above-mentioned certificates or not, shall be detained by the Customs pending its inspection or examination or authorisation for importation by a Medical Officer of Health or by any person authorised by him to carry out such inspection or examination. For the purposes of carrying out such inspection or examination, the Medical Officer of Health or person authorised by him may open any such consignment or require the opening of such consignment by the consignee or owner thereof.

Certificate of disinfection

(3) For the purposes of this regulation, "sufficiently disinfected" means disinfected by steam under pressure in a suitable apparatus, or other process which can be relied upon to destroy any infection or any vermin. Fumigation with hydrocyanic acid gas shall not be accepted unless some reliable germicidal process has also been carried out.

(4) Failing the production of satisfactory certificates as mentioned in sub-regulation (2), or if, despite the production of such certificates, the articles are found to be dirty or uncleansed, the whole of such consignment shall be disinfected to the satisfaction of the Medical Officer of Health and at the sole expense, risk and delay of the consignee.

Re-disinfection on importation

*Note-This regulation has been suspended by G.N. No. 229 of 1943 in so far as it relates to second-hand clothing.

(5) Where a consignment or any part thereof is of such a nature that it cannot, in the opinion of a Medical Officer of Health, be satisfactorily disinfected, or where there are not available satisfactory means of disinfection, the Medical Officer of Health may destroy or order the destruction of the whole or any part of such consignment:

Destruction of consignment if disinfection impracticable

Provided that-

- (i) the Medical Officer of Health shall not destroy or order the destruction of any part of the consignment where the goods to be destroyed are of a greater value than twenty kwacha without the previous sanction in writing of the Director of Medical Services;
- (ii) where the destruction of goods to a greater value than twenty kwacha may be required, such destruction shall not be carried out if the owner or consignee shall undertake to re-export and shall so re-export the said goods within a period of four weeks from the date of the order for destruction.

(6) The recognised Authority for granting the certificate of disinfection mentioned in sub-regulation (2) shall be-

Recognised Authorities

- (a) the Port Health or Sanitary Authority of any British port at which the consignment has been shipped; or

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- (b) the Local Health or Sanitary Authority for any area in the British Islands or British Colonies at which the goods have been packed; or
- (c) the Port Health or Sanitary Authority, or the Municipality or other Local Health Authority, at any foreign port, or at any place abroad at which the goods have been packed if the certificate thereof has been verified and countersigned by a British Consul.

(7) All charges for any disinfection carried out by the Government or any Local Authority under these Regulations shall be paid by the owner or consignee or his agent, who shall also be responsible for any transport, unpacking, repacking or rebaling which may be required with regard to articles to be disinfected, inspected or examined.

Charges for disinfection

(As amended by Acts No. 176 of 1954 and No. 51 of 1963)

59. (1) In this regulation and in the Second Schedule-

Exclusion from school on account of infectious disease

"principal", in relation to any school, means the person in charge of such school, and includes the person in charge of any department of a school where there is no person in charge of the whole school;

"pupil" means any person attending at a school for the purpose of receiving instruction thereat;

"scheduled disease" means any disease or condition mentioned in column 1 of the Second Schedule;

"school" means-

- (a) any public or private establishment at which pupils receive secular instruction;
- (b) any hostel or boarding-house kept for housing pupils at any such establishment; and
- (c) any Sunday school.

(2) The provisions of the Second Schedule shall apply to all pupils attending any school and all teachers at any school.

(3) The principal of every school shall-

- (a) immediately notify to a Medical Officer of Health or, where no such officer has been appointed, to the Local Authority every case which occurs in such school of notifiable infectious disease, venereal disease, acute ophthalmia, acute conjunctivitis, granular conjunctivitis, German measles, mumps, or any disease of skin or scalp which appears to be infectious;
- (b) exclude from the school pupils or teachers suffering from, or who have been exposed to the infection of, any scheduled disease for the periods specified in, and in accordance with the provisions of, the Second Schedule;

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- (c) where a pupil who has been absent from school owing to his suffering from, or having been exposed to the infection of, a disease mentioned in paragraph (a) returns to school without a medical certificate of recovery and freedom from infection, satisfy himself by personal investigation that the pupil appears to be well and is clean in person and clothing or that, where the case has been treated by a medical practitioner, a medical certificate has been furnished in every such case;
 - (d) where there is any doubt as to whether a person is an immune contact or a susceptible contact as defined in the Second Schedule, regard and deal with such person as a susceptible contact.
- (4) Where any pupil has developed any disease mentioned in the Second Schedule, the parent or guardian of such pupil shall-
- (a) promptly, on such fact coming to his knowledge, notify the same to the principal of the school ordinarily attended by such pupil;
 - (b) where so required by the Second Schedule and until the measures or precautions therein specified have been carried out or complied with, discontinue the attendance at school of the sick pupil or other pupils who may have been exposed to infection (contacts) for the periods specified in, and in accordance with the provisions of, the Second Schedule;
 - (c) exercise due care to prevent such pupil from conveying the infection to others, either at home or elsewhere, and to keep children living in the same or any other house away from contact with the infected pupil;
 - (a) after the termination of every case of scarlet fever or scarlatina, diphtheria or membranous croup, smallpox or enteric fever, and where the Local Authority has not carried out disinfection of the infected premises, bedding and clothing, wash all washable articles, freely expose to sunlight and fresh air all other clothing or bedding and thoroughly scrub the floor of the room and all woodwork and furniture with soap and water and thereafter keep the doors and windows open for at least three hours.
- (5) In the case of school boarding establishments-
- (a) the person in charge of the establishment shall comply with the provisions of, and shall carry out the duties imposed on, parents or guardians of pupils by sub-regulation (4);
 - (b) where a pupil is found to be suffering from a disease mentioned in the Second Schedule, the provisions of the said Schedule in respect of "contacts" shall, subject to the discretion of a Medical Officer of Health, apply only to those pupils who have been occupying the same bedroom or dormitory as the patient.

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(6) Where a case of notifiable infectious disease in a pupil is notified to a Local Authority or otherwise comes to the notice of a Medical Officer of Health, that officer shall immediately notify the facts to the principal of the school concerned, and such principal, if so requested by the Medical Officer of Health, shall furnish to him without delay a complete list of the pupils attending thereat together with their names and addresses.

(7) A Medical Officer of Health may, by written notice to the parent or guardian of a pupil and to the principal of the school concerned-

- (a) reduce the period of exclusion from school of an infected pupil or of a contact, where he is satisfied, after bacteriological examination or the adoption of special measures, that this will not entail risk of spread of the disease;
- (b) increase the period of exclusion, where he has reasonable grounds for believing, on bacteriological or other evidence, that any pupil or person is a "carrier" of the infection-in a virulent form- of diphtheria, scarlet fever, epidemic cerebro-spinal meningitis, acute anterior poliomyelitis or enteric fever, and capable of conveying such disease to others.

(8) Any person failing to comply with any provision or carry out any requirements of this regulation shall be liable on conviction to a fine not exceeding one hundred and fifty penalty units.

(No. 178 of 1957 and Act No. 13 of 1994)

60. (1) In this regulation-

- "child" means a child who is received to be looked after for reward at a day nursery;
- "day nursery" means a day nursery registered under the Day Nurseries Act;
- "employee" means a person regularly engaged or employed at a day nursery in the care of a child.

Application of regulation
59 to day nurseries
Cap. 313

(2) The provisions of regulation 59 and the Second Schedule shall apply *mutatis mutandis* to every child and every employee and for that purpose any reference therein to-

- (a) a pupil, shall be construed as a reference to a child;
- (b) a school, shall be construed as a reference to a day nursery;
- (c) a teacher, shall be construed as a reference to an employee.

(F.G.N. No. 135 of 1961)

FIRST SCHEDULE

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FORM 1
(Regulation 5)

THE PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS

Certificate of Medical Practitioner

NOTIFICATION OF INFECTIOUS DISEASE

To the Local Authority of the.....District

I hereby notify you that in my opinion the undermentioned:

*is suffering from (a).....

*has died on.....from (a).....

Full name.....

Age..... Sex..... Nationality.....

Address (b).....

Date of onset of illness.....

Where employed or what school attended.....

Probable place and source of infection.....

Probable date of infection.....

What facilities (if any) for isolating patient at home.....

Whether notified in private or official capacity.....

Action recommended

Date.....19.....

.....
Medical Practitioner

*Strike out words inapplicable.

(a) Insert name of disease.

(b) Give full address where patient sickened.

Note.-A separate form should be filled in for each case.



HOME

Shortcuts...

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FORM 2
(Regulation 10)

THE PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS

No.....19.....

REPORT OF NOTIFIABLE INFECTIOUS DISEASES

for the week ended.....19.....

| Place | Disease | No. of cases previously reported | No. of cases reported during week | Deaths during week | Total deaths |
|-------|---------|----------------------------------|-----------------------------------|--------------------|--------------|
| | | | | | |

.....
Medical Officer
(No. 179 of 1951)



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SECOND SCHEDULE

(Regulations 59 and 60)

EXCLUSION FROM SCHOOL ON ACCOUNT OF INFECTIOUS DISEASE

In this Schedule-

"patient" means a person suffering from the infectious disease referred to in the context;

"contact" means a person who has been exposed to the infection of the disease referred to in the context, from having been in contact or associated with or living in the same house with a person suffering from the disease. In the case of a boarding-house or hostel or other large establishment, the Medical Officer of Health or, if there be no Medical Officer of Health, the practitioner in attendance shall decide whether all persons living therein are to be dealt with as contacts or, if not, what persons are to be exempted from restrictions;

"immune contact" means a contact who has previously had the disease and, although capable of "carrying" the infection to others, is presumably not liable to a second attack;

"susceptible contact" means a contact who has not previously had the disease and is consequently liable to contact it;

"removal from infection" means, as the case may be-

- (a) removal of the patient from, and disinfection or thorough cleansing of, the infected dwelling, bedding, clothing and articles; or
- (b) removal of the contact from the infected dwelling, with bathing of his body and disinfection or cleansing of his clothing; or
- (c) where both patient and contact remain in the infected dwelling, the complete recovery of the patient and disinfection or thorough cleansing of the infected dwelling, bedding, clothing and articles, with bathing of the bodies of both patient and contact.

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| Disease | Patient may return to school | Contacts may return to school |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Scarlet fever or scarlatina and no sore throat, no | After complete recovery and removal from discharge from ears or nose, and no recently enlarged glands or discharging sores. Minimum exclusion, ten days from onset. | Eight days after disinfection infection, except where patient and contacts remain in the same dwelling, in which case contacts may return to school at the same time as the last case in the dwelling. |
| Diphtheria. | After complete recovery and no discharge from throat, eyes, ears or nose. Minimum exclusion, four weeks from onset. | Immune contacts, after swabs of throat and nose are examined and reported negative for C. diphtheriae. Susceptible contacts, ten days after disinfection and removal from infection, remain in the same dwelling, in which case contacts may return to school at the same time as the last case in the dwelling. |
| Measles | Ten days after first appearance of rash. Where a case of measles has occurred in a class, the Medical Officer of Health may, at his discretion, close the class on or about the ninth day after the sickening of the first child for a period of seven days, or may exclude susceptible children in the class for a similar period. | Twenty-one days after last exposure to infection or at once if pupil has previously suffered from measles. |
| German measles (Rubella) | Seven days after first appearance of rash. Where a case of German measles has occurred in a class, the Medical Officer of Health may, at his discretion, close the class on or about the ninth day after the sickening of the first child for a period of seven days, or may exclude susceptible children from class for a similar period. | No exclusion, but fact of exposure to infection to be reported by parent or guardian to the principal. |
| Whooping cough | Four weeks after commencement of spasmodic cough. | Immune contacts: at once if they are kept apart from patient. Susceptible contacts: three weeks after disinfection and removal from infection. |
| Chickenpox | After complete disappearance of scabs. Minimum exclusion. fourteen | As for German measles. |

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Ministry of Health



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SECTIONS 12, 28 AND 114-THE PUBLIC HEALTH (INFECTIOUS DISEASES-YELLOW FEVER) REGULATIONS

Regulations by the Minister

Government Notices
 4 of 1944
 168 of 1954
 Act
 51 of 1963

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| <p>1. These Regulations may be cited as the Public Health (Infectious Diseases-Yellow Fever) Regulations.</p> | <p>Title</p> |
| <p>2. In these Regulations, "viscerotomy" means the puncturing of a corpse for the purpose of extracting a section of an organ for examination.</p> | <p>Interpretation</p> |
| <p>3. (1) Whenever it shall come to the notice of a medical practitioner that a person is suffering from a febrile disease without obvious diagnosis, such medical practitioner (or, if the patient shall withhold his consent, a Medical Officer of Health) shall take a specimen of blood from the patient not later than the seventh day of the illness and post it by air mail to the Director of the Yellow Fever Research Institute, Entebbe, Uganda, together with a brief description of the symptoms of the case; the medical practitioner shall send a copy of this description to the Director of Medical Services. A second specimen of blood shall be similarly taken from the patient on the fourteenth day after the commencement of the illness and the medical practitioner shall post it to the Director of the Yellow Fever Research Institute, Entebbe, Uganda.</p> | <p>Specimen of blood to be sent to Yellow Fever Research Institute in cases of febrile disease without obvious diagnosis</p> |
| <p>(2) In the event of the patient dying, a viscerotomy or an autopsy shall be performed on the body by the medical practitioner or such other person as the Medical Officer of Health may authorise in writing.</p> | <p>Viscerotomy or autopsy to be performed in case of death</p> |
| <p>(3) The person who performed the viscerotomy or autopsy shall send a specimen of the liver, packed in a solution of 10 per centum formalin in physiological saline, by air mail to the Director of the Yellow Fever Research Institute, Entebbe, Uganda, together with a completed specimen form as set out in the Schedule. A copy of the completed specimen form shall be sent to the Director of Medical Services.</p> | <p>Specimen of liver to be sent to Yellow Fever Research Institute</p> |
| <p><i>(As amended by Acts No. 168 of 1954 and No. 51 of 1963)</i></p> | |
| <p>4. (1) If it should come to the notice of a medical practitioner that a person has died of yellow fever, or of a condition resembling yellow fever, such practitioner shall perform a viscerotomy or an autopsy on the corpse and dispose of the specimen of the liver in the manner set out in sub-regulation (3) of regulation 3.</p> | <p>Viscerotomy or autopsy to be performed in cases where death suspected from yellow fever</p> |
| <p>(2) A viscerotomy or an autopsy may be performed on any corpse if a Medical Officer of Health shall so require on the grounds that there is a reasonable suspicion that death was due to yellow fever, and such viscerotomy or autopsy may be performed by a Medical Officer of Health or by a Health Inspector or by any person authorised in writing by a Medical Officer of Health.</p> | |



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5. Where a person is suffering from a febrile disease in the circumstances described in sub-regulation (1) of regulation 3, or where a person has died in the circumstances described in regulation 3 or 4, no person shall obstruct in any way a Medical Officer of Health or a Health Inspector or a person authorised by a Medical Officer of Health in writing in obtaining any specimen of blood or performing any viscerotomy or autopsy. Offence



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SCHEDULE

(Regulation 3 (3))

SPECIMEN FORM

VISCEROTOMY SPECIMEN FOR PATHOLOGICAL EXAMINATION

Specimen No.
Name
Tribe
Village
Chief
Boma
Age
Sex
Locality where taken sick
Date taken sick
Hour and date of death
Hour and date of puncture
Place where death occurred
Name of sender
Date of despatch

Original to be sent to the Director of the Yellow Fever Research Institute, Entebbe, Uganda, with specimen; duplicate to be sent by post to the Director of Medical Services.

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SECTIONS 49-56-THE CONTROL OF AIR AND OTHER TRAFFIC WITHIN OR ENTERING ZAMBIA FROM CERTAIN PLACES NOTICE

Notice by the Minister

Government Notices

- 73 of 1943
- 60 of 1944
- 207 of 1944
- 250 of 1944
- 60 of 1946
- 32 of 1947
- 158 of 1949
- 293 of 1950
- 28 of 1951
- 138 of 1951
- 159 of 1951
- 273 of 1953
- 179 of 1954
- 497 of 1964
- 500 of 1964

Statutory Instrument

- 163 of 1965
- Act
- 13 of 1994

1. This Notice may be cited as the Control of Air and other Traffic Within or Entering Zambia from Certain Places Notice. Title

2. In this Notice, unless the context otherwise requires- Interpretation

- (a) "sanitary authority" means the Director of Medical Services or any person authorised by him to perform the duties of sanitary authority;
- (b) an aircraft shall be deemed to have been in contact with another aircraft if, prior to its arrival at any place in Zambia, it has been on an aerodrome while such other aircraft was on that aerodrome;
- (c) "sanitary aerodrome" means the aerodrome situated at any place mentioned in the First Schedule;
- (d) "recognised stopping place" means any one of the sanitary aerodromes mentioned in the Second Schedule;
- (e) "scheduled place" means any country or part of a country within an endemic area as defined in the Third Schedule;
- (f) "valid inoculation certificate" means a certificate which certifies-
 - (i) that the bearer has been inoculated against yellow fever for the first time more than ten days and less than six years previously; or
 - (ii) that he has been re-inoculated against yellow fever within the past six years; or
 - (iii) that he has recovered from an attack of yellow fever and that his blood contains immune bodies against yellow fever as provided by a test carried out by an institution regularly carrying out biological tests for yellow fever.

(As amended by Nos. 60 and 207 of 1944, 159 of 1951, 273 of 1953 and 179 of 1954)

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3. This Notice shall apply-

Application

- (a) to every aircraft and to the passengers and crew thereof arriving at any place in Zambia from or having during any stage of its journey landed in any scheduled place;
- (b) to every aircraft which arrives at any place in Zambia which has within six days of such arrival been in contact with another aircraft which has within six days of such contact been on the ground in any scheduled place;
- (c) to every road vehicle or railway vehicle and every person arriving at any place in Zambia by road or rail from any scheduled place.

(As amended by Acts No. 207 of 1944 and No. 60 of 1946)

4. (1) Every aircraft to which this Notice applies shall make its first landing in Zambia or its first landing at any place in Zambia after leaving the Zambezi District at a recognised stopping place and together with the crew and passengers shall be subject to inspection by the sanitary authority.

Aircraft, crew and passengers subject to inspection by sanitary authority

(2) No member of the crew and no passenger of any such aircraft shall have access to the public or leave the aerodrome until authorised by the sanitary authority.

(3) No person shall be deemed to have contravened or failed to comply with the provisions of this paragraph if the pilot or person in charge of the aircraft proves that accident, stress of weather or other unavoidable circumstances prevented him from making his first landing at a recognised stopping place:

Provided that-

- (i) the pilot or person in charge of any aircraft making its first landing at a place other than a recognised stopping place forthwith reports the facts of the situation by the most expeditious means to the nearest Administrative Officer or Government Medical Officer or police officer; and
- (ii) the pilot or person in charge of such aircraft if so ordered by an Administrative Officer or Government Medical Officer or police officer shall proceed with such aircraft to a recognised stopping place as soon as possible; and
- (iii) the crew and passengers of such aircraft comply with the instructions of an Administrative Officer or Government Medical Officer or police officer.

(As amended by Acts No. 207 of 1944, No. 179 of 1954 and No. 500 of 1964)

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5. The pilot or person in charge of every aircraft to which this Notice applies shall, at the request of the sanitary authority- Pilot to furnish information to sanitary authority

- (a) give the names and addresses at destination of all persons carried;
- (b) state the place where and the date on which each person was taken on board;
- (c) state whether the aircraft has, within the six days preceding arrival at any place in Zambia-
 - (i) been in contact with another aircraft which has, within six days of such contact, been on the ground in any scheduled place;
 - (ii) been on the ground in any scheduled place;
- (d) produce his journey logbook for inspection; and
- (e) furnish any other information of a public health nature in his possession regarding persons, animals, articles or things on board.

(As amended by Act No. 207 of 1944)

6. Every person to whom this Notice applies shall, at the request of the sanitary authority, furnish any information of a public health nature concerning himself that may be required by such authority. Passengers to furnish information to sanitary authority

7. The sanitary authority-

- (a) may inspect any aircraft and any road or railway vehicle to which this Notice applies and the cargo thereof to ascertain whether they contain mosquitoes, and may subject the aircraft or road or railway vehicle to disinsectisation; and
- (b) may conduct or cause to be conducted a medical examination of the passengers and crew of such aircraft to ascertain whether they are free from symptoms of yellow fever.

Powers of sanitary authority

8. Every person to whom this Notice applies shall, if so required by the sanitary authority, submit himself to medical examination and shall be dealt with by the sanitary authority as follows: Medical examination

- (a) if such person is not in possession of a valid inoculation certificate, he shall be detained and subjected to observation in a place and under conditions approved by the sanitary authority for a period not exceeding six days reckoned from the date of leaving any scheduled place;
- (b) if such person is in possession of a valid inoculation certificate, he shall be allowed to proceed without being subjected to observation.

(As amended by Act No. 250 of 1944)

9. When in his opinion such action is necessary for the protection from yellow fever of Zambia or of any part thereof, the Director of Medical Services may order any person or group of persons in Zambia to be inoculated against yellow fever. Inoculation against yellow fever

(As amended by Acts No. 179 of 1954 and No. 163 of 1965)

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10. Any expenditure in connection with any measures taken in terms of this Notice in respect of any person shall be recoverable from such person or, failing him, from the owner of the aircraft or road or rail vehicle of which he was a member of the crew or a passenger, and any such expenditure incurred in respect of such aircraft and goods or articles conveyed therein shall be recoverable from the owner thereof. Expenditure recoverable

11. If any person contravenes or fails to comply with any provision of this Notice or any instruction, order or requirement lawfully issued or made thereunder, or fails or refuses to give any information which he is lawfully required to give, or gives any false or misleading information, knowing it to be false or misleading, he shall be guilty of an offence and liable to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months, or to both. Offences and penalties

(As amended by Act No. 13 of 1994)

FIRST SCHEDULE

(Paragraph 2 (c))

SANITARY AERODROMES

Lusaka
Kasama
Ndola
Livingstone *(No. 32 of 1947)*

SECOND SCHEDULE

(Paragraph 2 (d))

RECOGNISED STOPPING PLACES

Ndola
Kasama
Lusaka *(No. 207 of 1944)*
Livingstone *(No. 32 of 1947)*
Mbala *(No. 158 of 1949)*

THIRD SCHEDULE

(Paragraph 2 (e))

THE AFRICAN ENDEMIC YELLOW FEVER AREA

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From the mouth of the River Senegal along that river eastwards to the 15°N. parallel of latitude; thence eastwards along that parallel to the eastern boundary of the Sudan; thence northwards along the north-western boundary of Eritrea to the Red Sea Coast; thence southwards along the eastern coast of Africa to the northern boundary of the French Somali Coast; thence along that boundary successively westwards, southwards and eastwards to the eastern coast of Africa and thence along this coast to the southern boundary of Tanzania and westwards along that boundary and the southern boundary of the Congo to the 10°S. parallel of latitude; thence westwards along that parallel to the west coast of Africa; thence northwards along the west coast of Africa to the mouth of the River Senegal; including the islands in the Gulf of Guinea. The Western Province and the Zambezi District in the North-Western Province of Zambia are also included in the endemic area. The port of Massawa in Eritrea and an area 10 kilometres in radius from the centre of the town of Asmara in Eritrea, as well as the territory of the French Somali Coast, including the port of Jibuti, are excluded from the endemic area. The continued exclusion of these area is, however, contingent on their maintenance of an *Aedes aegypti* index not exceeding 1 per centum in the port of Massawa, in and around Asmara, and in the port of Jibuti, as reported quarterly to the World Health Organisation.

(No. 138 of 1951)

SECTION 74-APPLICATION OF SECTION SEVENTY-FOUR OF THE ACT

Notices by the Minister

All Townships.(No. 93 of 1931)

City of Lusaka.(No. 49 of 1953)

City of Kitwe.(No. 49 of 1953)

City of Ndola.(No. 93 of 1931)

Kabwe Municipality.(No. 49 of 1953)

Livingstone Municipality.(No. 101 of 1931)

Luanshya Municipality.(No. 49 of 1953)

Mufulira Municipality.(No. 49 of 1953)

THE PUBLIC HEALTH (DRAINAGE AND LATRINE) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

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Regulation

1. Title
2. Application of Regulations
3. Interpretation

PART II

DRAINAGE AND SEWERAGE PROVISIONS, ETC.

4. Local Authority to enforce drainage of undrained buildings
5. Two or more buildings may be drained by a combined operation
6. New buildings must be drained
7. Local Authority may require sinks, drains or other necessary appliances to be provided to buildings
8. Conversion of latrines
9. Where sewer provided, cesspools or septic tanks, etc., no longer to be used for reception of drainage
10. Maintenance of drains and drainage works
11. Examination of drains, latrines, cesspools and septic tanks
12. Local Authority may cause drains to be tested
13. Stoppages in drains
14. Penalty on unauthorised building over sewers or under streets
15. Injurious matters not to pass into sewers
16. Power to prohibit the passing of solid matter, steam, chemical refuse, etc., into sewers
17. Brewery or manufacturing sewage
18. Power to make inspection chamber in manufacturing premises
19. Rain-water pipes not to communicate directly with a closed drain
20. Notice to be given of intention to make a sewer connection
21. Sewer connections not to be made without permission
22. Drainage works in streets and other public places
23. Local Authority may arrange with owners to carry out private drainage works
24. Owners outside the district may arrange with Local Authority to connect to sewers of Local Authority
25. Charges to cover supervision, etc.
26. Tins, bottles, refuse, etc., not to be allowed to enter drains
27. Traps, gullies and ventilation pipes to be kept free from obstruction

PART III

CONSTRUCTION OF DRAINS

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28. Excavation for any laying of drains
29. Construction of drains
30. Gradient of drains
31. Inlets to drains to be trapped
32. No right-angled junctions to be made
33. Drains to be trapped from cesspools and septic tanks, etc., but not from sewers
34. Drains not to be trapped from sewers
35. Provision of inspection chambers in connection with drains
36. Ventilation of drains
37. No inlets to drains within buildings

PART IV
SOIL PIPES

38. Soil pipes
39. Anti-syphonage pipes to soil pipes
40. Connection of lead pipe with iron pipe
41. Connection of stoneware pipe with lead pipe
42. Connection of lead pipe with stoneware pipe
43. Connection of iron pipe with stoneware pipe
44. Connection of stoneware pipe with iron pipe

PART V
WASTE PIPES AND WASTE WATER FITTINGS

45. Waste pipes and waste water fittings
46. Local Authority may permit one pipe and single stack drainage systems
47. Rain-water pipes not to be used for conveying soil water or waste water
48. Overflow pipes from water supply cisterns or safes not to be connected with any drain, soil pipe, waste or ventilating pipe

PART VI
GULLY TRAPS

49. Gully traps

PART VII
GREASE TRAPS

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50. Grease traps

PART VIII

WATER CLOSETS, SLOP-HOPPERS, URINALS, ETC.

51. Water closets
52. Urinals
53. Slop-hoppers
54. Traps and joints of soil water fittings
55. Soil water fittings to be provided with water flushing cisterns
56. Automatic water flushing cisterns not to be provided to water closets without permission
57. Automatic water flushing cisterns
58. Water closets to be kept provided with a sufficient supply of water
59. Position of soil water fittings
60. Apartment in which a soil water fitting is situated to be lit and ventilated
61. Trough closets to be approached from external air
62. Water closets

PART IX

SEPTIC TANKS AND SEWAGE FILTER INSTALLATIONS, ETC.

63. Septic tanks, etc.

PART X

DISPOSAL OF SEWAGE

Regulation

64. Disposal of sewage

PART XI

DEPOSIT OF DRAINAGE PLANS, GIVING OF NOTICES, ETC.

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65. Notice to be given and plans deposited of new drainage works
66. Addition to, partial construction, entire or partial reconstruction, or alteration of existing drainage works
67. Copy of plans and particulars to remain property of Local Authority
68. Approval of drainage
69. Drainage work not to be commenced before notice given, plans deposited and approval obtained
70. In default of notification by Local Authority, drainage work may be proceeded with
71. Alterations and construction of drainage work in cases of urgency
72. Notice before drainage work is commenced
73. Notice that work is completed and ready for testing
74. Drainage work not to be covered up until tested and approved
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76. Fresh notice to be given if work not proceeded with within one year
77. Unauthorised drainage work

PART XII

PROVISION OF LATRINE ACCOMMODATION

78. New buildings must be provided with latrine accommodation
79. Local Authority to enforce provision of latrine accommodation to existing buildings
80. Latrines for factories, workshops, boarding-houses, hotels, etc.
81. Latrines for schools, colleges, theatres, public halls, etc.
82. Temporary latrines for workmen
83. Improper use of latrines used in common
84. Improper use of public latrines
85. No latrine other than a water closet to be constructed within 60.96 metres of a sewer
86. No latrine other than a water closet or urinal to be provided inside a dwelling
87. Latrines other than water closets and urinals to be protected against the entrance of flies
88. Local Authority to enforce latrines being protected against flies

PART XIII

PAIL CLOSETS

89. Pail closets

PART XIV

PIT CLOSETS

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90. Pit closets not to be constructed without permit from Local Authority

PART XV
MISCELLANEOUS

91. Notices, etc., may be printed or written
92. Service of notices
93. Defect in form not to invalidate notices, etc.
94. Penalties

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SECTION 75-THE PUBLIC HEALTH (DRAINAGE AND LATRINE) REGULATIONS

Regulations by the Minister

Government Notices

1 of 1932
12 of 1937
272 of 1942
328 of 1950
33 of 1951
173 of 1954
122 of 1956
125 of 1957
291 of 1964
Act
51 of 1963
13 of 1994

PART I

PRELIMINARY

1. These Regulations may be cited as the Public Health (Drainage and Latrine) Regulations. Title
2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations

(As amended by No. 291 of 1964)

3. In these Regulations, unless the context otherwise requires- Interpretation

"cement" means Portland cement which shall conform in every respect with the provisions of the British Standard Specification for Portland Cement, No. 12, 1925, and any specification in amendment thereof or in substitution therefor;

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"closed drain" means any drain constructed of pipes or in the form of an enclosed conduit;

"domestic building" includes any building in human use, or intended for human use, whether for purposes of business or residence or amusement;

"drainage works" means the construction, installation, laying, connecting, fixing, repair or removal of any pipe, drain, gully, cesspool, septic tank, sewage filter installation, or other works for the discharge, reception or disposal of sewage in connection with any premises, or of any waste pipe, soil pipe, trap, urinal, water closet, slop-hopper, sink, bath, lavatory basin, ventilation pipe, anti-syphonage pipe, or any drain fitting or water flushing cistern, or any works connected with the discharge of liquid or soiled matter into any drain, sewer, cesspool, septic tank, sewage filter installation or other like receptacle for drainage, or otherwise connected with the drainage of any premises;

"dwelling-house" means a building or any part or portion of a building used, or constructed, adapted or designed to be used for human habitation, as a separate tenancy, or by one family only, whether detached, semi-detached, or separated by party walls, or by floors from adjoining buildings, together with such outbuildings as are reasonably required to be used or enjoyed therewith;

"earth closet" means a pail closet furnished with means for sprinkling earth, ashes or any other material for the purpose of absorbing or covering the excremental matter;

"housemaid's sink" includes a butler's sink and any fitting used or intended to be used in connection with the cleansing of toiletware but neither used nor intended to be used for the reception of any excremental liquid or substance;

"latrine" includes a privy, urinal, pail closet, pit closet, earth closet, chemical closet and water closet;

"latrine accommodation" includes a receptacle for human excreta, together with the structure containing and including such receptacle and the fittings and apparatus connected therewith;

"one pipe system" means a system of drainage above ground in which all soil and waste appliances are connected to a single pipe which discharges directly to a drain without further trapping other than traps integral with or attached to the appliances, and in which all traps are ventilated by means of connections to a separate main ventilating pipe;

"pail closet" means latrine accommodation including a movable receptacle for human excreta;

"pit closet" means latrine accommodation situated over any hole or excavation in the ground;

"plot" means any area of land being the subject of a separate conveyance, assignment or lease;

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"sewage" means soil water, waste water and manufacturing or trade effluent;

"sewer" means any duct belonging to the Local Authority and constructed, acquired or maintained for the purpose of conveying sewage;

"sewer connection" means any pipe junction, saddle or other contrivance constructed in any sewer belonging to the Local Authority for the purpose of receiving the discharges from any drain, or the drainage from one or more buildings, into such sewer;

"single stack system" means a one pipe system from which trap ventilating pipe work is omitted;

"slop-hopper" means any fitting intended for the reception of slop water from bedrooms or other waste water containing excremental liquid or substance;

"soil pipe" means any pipe fixed on or in any building for the purpose of conveying the discharges from any water closet, slop-hopper, urinal or urinette, or any waste water containing excremental liquid or substance;

"soil water" means discharges from water closets, slop-hoppers, urinals and urinettes, and all water containing any excremental liquid or substance;

"soil water fittings" means water closets, slop-hoppers, urinals and urinettes, and all water fittings adapted or designed for the reception of matters of an excremental character which are or are to be connected to any system of drainage;

"waste pipe" means any pipe for conveying waste water of a non-excremental character from baths, lavatory basins, sinks or housemaids' sinks;

"waste water" means discharges of a non-excremental character from baths, lavatory basins, sinks or housemaids' sinks;

"waste water fittings" means baths, lavatory basins, sinks and housemaids' sinks;

"water closet" means latrine accommodation adapted or designed for the reception of human excreta, of both a solid and liquid character, used or adapted or intended to be used in connection with a water carriage system, and comprising provision for the flushing of the receptacle by means of an approved water supply.

(As amended by Acts No. 12 of 1937, No. 173 of 1954, No. 122 of 1956 and No. 51 of 1963)

PART II

DRAINAGE AND SEWERAGE PROVISIONS, ETC.

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4. (1) Where any building is without a drain sufficient for the effectual drainage of the same, the Local Authority shall, by written notice, require the owner of such building, within a reasonable time therein specified, to make a drain or drains emptying into any sewer belonging to the Local Authority which is at a suitable level, and which is not more than 60.96 metres distant from any part of such building, but, if no such means of drainage are within that distance, then emptying into such covered tank or other like receptacle for drainage not being under any building, or in such other manner as the Local Authority may direct; and the Local Authority may require any such drain or drains to be of such materials and size and to be laid at such level and in such manner and with such falls as may appear to the Local Authority to be necessary.

Local Authority to enforce drainage of undrained buildings

(2) Any person who fails to comply with the requirements of any notice served under this regulation within the time specified shall be guilty of an offence, and the Local Authority may, after the expiration of the time specified in the notice, do the work required, and may recover as a civil debt the expenses incurred by it in so doing from the owner:

Provided that, where, in the opinion of the Local Authority, greater expense would be incurred in causing the drains of two or more buildings to empty into an existing sewer, pursuant to this regulation, than in constructing a new sewer and causing such drains to empty therein, the Local Authority may construct such new sewer, or cause such new sewer to be constructed, and require the owners of such buildings to cause their drains to empty therein, and may apportion as it deems just the expenses of the construction of such sewer amongst the owners of the several buildings, and recover as a civil debt the sums apportioned from such owners.

5. If it appear to the Local Authority that two or more buildings which are to be connected with any sewer belonging to the Local Authority, either voluntarily or compulsorily, may be drained more economically or advantageously in combination than separately, and a sewer of sufficient size belonging to the Local Authority already exists or is about to be constructed at a suitable level and within 60.96 metres of any part of such buildings, the Local Authority may, when the drains of such buildings are first laid, order that such buildings be drained by a combined system of drainage to be constructed either by the Local Authority, if it so decide, or by the owners in such manner as the Local Authority shall direct, and the costs and expenses of the construction of such combined system of drainage and of the repair and maintenance thereof shall be apportioned between the owners of such buildings in such manner as the Local Authority shall determine, and, if paid by the Local Authority, may be recovered by it from such owners.

Two or more buildings may be drained by a combined operation

6. (1) No person shall erect a new building or re-erect any building, any two external walls of which have been pulled down or burned down or which have fallen down to or below the level of the ground floor, or occupy or, being the owner thereof, permit to be occupied, any building so newly erected or re-erected, unless a drain or drains have been constructed of such materials and size, and laid at such level, in such manner and with such fall as may appear necessary to the Local Authority for the effectual drainage of such building; and the drain or drains so to be constructed shall empty into any sewer belonging to the Local Authority which is at a suitable level and which is within 60.96 metres of any part of the site of the building to be erected or re-erected; and, if no such means of drainage are within that distance, then such drains shall empty into such covered tank or other place, not being under any building, as the Local Authority may direct, except as hereinafter provided.

New buildings must be drained

(2) Any person who causes any building to be erected or re-erected or any drain to be constructed in contravention of this regulation shall be guilty of an offence.

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(3) Notwithstanding anything contained in these Regulations, no person shall cause or permit any subsoil, surface, storm or rain-water or any drain for the conveyance of such water to discharge into or communicate with any drain or sewer for the conveyance of sewage or waste water, or into any cesspool, septic tank or other receptacle for drainage, except with the written permission or by the direction of the Local Authority, and then only on the condition that such subsoil, surface, storm or rain-water drain shall discharge directly into the open air over a trapped gully and above the level of the water therein, and no person shall cause or permit any sewage or waste water drain to discharge into or communicate with any drain or sewer for the conveyance of subsoil, surface, storm or rain-water except with the written permission or by the direction of the Local Authority.

7. If it shall appear to the Local Authority that any building built before or after the commencement of these Regulations is not provided with a proper sink or drain or other necessary appliances for carrying off waste water from such building, the Local Authority may give notice in writing to the owner of such building requiring him, in the manner and within the time to be specified in such notice, to provide such sink, drain or other appliances. If the owner makes default in complying with such requirement to the satisfaction of the Local Authority within the time specified in such notice, he shall be guilty of an offence and, in case of default, the Local Authority may, if it thinks fit, itself provide such sink, drain or other appliances, and the expenses incurred by it in so doing shall be repaid to it by such owner, and may be recovered as a civil debt.

Local Authority may require sinks, drains or other necessary appliances to be provided to buildings

8. (1) Where any building is served by any privy, earth closet, pail closet, pit closet, or other closet not being a water closet (any such privy or closet being hereinafter in this regulation referred to as a non-water closet), the Local Authority may, by notice in writing addressed to the owner of the building, require the said owner, within a reasonable time to be specified in the notice, to convert the non-water closet into a water closet, and-

Conversion of latrines

(a) if the building or closet is within 60.96 metres of any sewer belonging to the Local Authority which is at a suitable level, to connect the water closet to the said sewer; or

(b) in any other case, to connect the water closet to a septic tank or covered cesspool;

and cause all such works to be constructed in accordance with the provisions of these Regulations:

Provided that no such notice as aforesaid shall be given unless there is available on the premises affected a sufficient supply of water to operate a water closet efficiently.

(2) Any notice given under this regulation may require the owner of any building to carry out the works specified therein in a manner and by the use of materials to be approved by the Local Authority.

(3) Any person who shall fail to comply with the requirements of any notice given under the provisions of this regulation within the time specified in such notice shall be guilty of an offence, and the Local Authority may, after the expiration of the time specified, execute the required work, and may recover as a civil debt the expenses incurred by it in so doing from the owner of the property.

(No. 33 of 1951)



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9. (1) Where the drainage of a building discharges into any cesspool or septic tank or into any other receptacle or place whatsoever not being a sewer belonging to the Local Authority, and such building be within 60.96 metres of a sewer belonging to the Local Authority which is at a suitable level, the Local Authority may, by written notice addressed to the owner of the building, require the said owner, within a reasonable time to be specified in the notice, to cease to discharge or permit to be discharged into the said cesspool, septic tank, other receptacle or place any sewage and other waste water, and to cause all such sewage and other waste water to be discharged into the said sewer in a manner and by the use of materials to be approved by the Local Authority; and the Local Authority may, by written notice addressed to the owner, order such cesspool, septic tank, receptacle or place to be removed, filled in or otherwise suitably dealt with to its satisfaction, within a period to be specified in such notice, and the Local Authority may, after the expiration of the time specified in such notice, execute the required work and may recover as a civil debt the expenses incurred by it in so doing from the owner of the property.

Where sewer provided, cesspools or septic tanks, etc., no longer to be used for reception of drainage

(2) Any such owner who shall fail to comply with the requirements of any notice served under the provisions of this regulation within the time specified shall be guilty of an offence.

(As amended by Act No. 125 of 1957)

10. (1) The owner of any premises shall, at his own expense, maintain all drains and all drainage works constructed upon or in connection with such premises in an efficient condition and in a proper state of repair to the satisfaction of the Local Authority.

Maintenance of drains and drainage works

(2) In all cases where two or more buildings owned by more than one owner are drained by a combined system of drainage, such owners shall jointly and severally be responsible for the duty of, and for any costs and expenses incidental to, maintaining and repairing such combined system of drainage.

11. If it shall appear to the Local Authority that any drain, latrine, cesspool or septic tank constructed upon or in connection with any premises is in a bad state of repair, or is inefficient or is a nuisance or injurious or dangerous to health, the Local Authority may, after having given twenty-four hours' written notice to the occupier of such premises, or, in case of emergency, without notice, cause such premises to be entered, the ground to be opened and such drain, latrine, cesspool or septic tank to be examined. If the drain, latrine, cesspool or septic tank on examination is found to be in a proper, sound and efficient condition, the Local Authority shall cause the ground to be closed, and any damage done to be made good as soon as can be, and the expenses of the works shall be defrayed by the Local Authority. If the drain, latrine, cesspool or septic tank on examination appears to be in a bad, defective or inefficient condition, or to require alteration or amendment, the Local Authority shall forthwith give notice in writing to the owner of the premises requiring him forthwith or within a reasonable time therein specified to carry out such works as may be necessary; and, if the owner of such premises fails to comply with the requirements of any notice served under this regulation within the time specified, he shall be guilty of an offence, and the Local Authority may, if it think fit, after the expiration of the time specified in the notice, carry out the work required, and may recover as a civil debt the expenses incurred by it in so doing from the said owner.

Examination of drains, latrines, cesspools and septic tanks

12. (1) The Local Authority may, at any reasonable time, cause to be applied to any covered drain or drains, soil pipe or ventilating pipe, constructed upon or in connection with any premises, the smoke, air, chemical, coloured water or other test (not including a test by water under pressure).

Local Authority may cause drains to be tested



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(2) If, on the application of the test, such drain or drains, soil pipe or ventilating pipe is or are found to be defective, the Local Authority shall, by written notice served upon the owner of such premises specifying generally the defect, require the said owner to do all works necessary for remedying it, within a reasonable time to be specified in the notice, and, if such owner fails to comply with the requirements of any notice served under this regulation within the time specified, he shall be guilty of an offence, and the Local Authority may, if it think fit, after the expiration of the time specified in the notice, carry out the works required, and may recover as a civil debt the expenses incurred by it in so doing from the owner.

(3) The owner and occupier of any premises shall give all reasonable facilities for the application of any test as provided for in this regulation, and any owner or occupier who fails to do so shall be guilty of an offence.

13. (1) Upon receipt of information as to a stoppage in any closed drain or drainage work constructed upon or in connection with any premises, the Local Authority may cause a written notice of stoppage to be served upon the owner of such premises requiring him forthwith to cause the stoppage to be removed. If the said owner fails to comply forthwith with the requirements of any such notice as aforesaid, or if such owner cannot immediately be found, the Local Authority may itself cause the stoppage to be removed and may recover as a civil debt the expenses incurred in so doing from the owner.

Stoppages in drains

(2) Where two or more buildings owned by more than one owner are drained by a combined system of drainage, the costs and expenses incidental to the removal of any such stoppage as aforesaid shall be apportioned between the owners of such buildings in the manner provided in regulation 5:

Provided that, where the stoppage takes place in a section of any drain used by one occupier or owner only, the costs and expenses incurred in its removal shall be borne by the owner of the building served by such section.

14. Any person who, without the written consent of the Local Authority-

- (a) causes any building newly to be erected over any sewer belonging to the Local Authority; or
- (b) causes any vault, arch or cellar newly to be constructed under the carriageway or footway of any street vested in the Local Authority;

Penalty on unauthorised building over sewers or under streets

shall be guilty of an offence, and the Local Authority may cause any building, vault, arch or cellar constructed in contravention of the provisions of this regulation to be altered, pulled down or otherwise dealt with as it may think fit, and may recover as a civil debt any expenses incurred by it in so doing from the offender.

15. Any person who shall throw or suffer to be thrown, or shall pass into any sewer belonging to the Local Authority or into any drain communicating therewith, any matter or substance by which the free flow of the sewage or other liquid waste may be interfered with, or by which any such sewer or drain may be injured, shall be guilty of an offence.

Injurious matters not to pass into sewers



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16. (1) Where, in the opinion of the Local Authority, the introduction into any sewer belonging to the Local Authority of any solid matter, suspended matter, mud, chemical or manufacturing or trade or other refuse (inclusive of vapours or gaseous matters) or any steam, condensing water, heated water or other liquid (such water or other liquid being of a higher temperature than 57.2 degrees Celsius) whether alone or in combination with other matter or liquid, and whether directly or through any drain or channel communicating with such sewer, either does or may cause a nuisance, or involve danger to the health of persons entering the sewers, or others, or is or may be injurious to the structure or materials of the sewers or other works of the Local Authority, or to the ground used by the Local Authority, the Local Authority may, by written notice served upon the owner or occupier of any premises, absolutely prohibit from a date to be named in such notice, not being earlier than fourteen days from the date of service of such notice, any such matter or matters as aforesaid being caused or permitted to fall, flow or enter or to be carried or washed into any sewer belonging to the Local Authority, either directly or indirectly:

Power to prohibit the passing of solid matter, steam, chemical refuse, etc., into sewers

Provided that the Local Authority shall not be required to serve a notice upon the same person more than once.

(2) Any person who shall fail to comply with the requirements of any such notice after service thereof upon him shall be guilty of an offence.

17. The Local Authority may, in its absolute discretion, refuse to admit into any sewer belonging to the Local Authority any trade, brewery or manufacturing liquid waste, sewage or effluent unless the same has been freed of the grosser objectionable matters, and then only if the sewers in the vicinity belonging to the Local Authority are, in the opinion of such Authority, of sufficient capacity to convey the trade, brewery or manufacturing liquid waste, sewage or effluent in addition to the ordinary domestic sewage flow of the areas served by such sewers.

Brewery or manufacturing sewage

18. The Local Authority shall, in its discretion, have power to construct on any pipe or channel conveying trade or manufacturing liquid waste, sewage or effluent to any sewer belonging to the Local Authority an inspection chamber, manhole, lamphole, or other similar opening, of such dimensions as it may think fit, on any premises from which the liquid waste, sewage or effluent is derived, at the expense of the Local Authority, without payment of any compensation to the owner or occupier of such premises; and any duly authorised officer of the Local Authority shall at all times have the right of access to such chamber or other opening and may examine the character, gauge the flow and take samples of the discharge from such premises.

Power to make inspection chamber in manufacturing premises

19. No person shall construct or fix any rain-water pipe or trunk which may be provided in connection with any building for the purpose of conveying therefrom any water which may fall on any roof or flat thereof so as to discharge directly into a closed drain, but shall cause such rain-water pipe or trunk to be constructed or fixed so as to discharge directly into the open air, into an open channel or over a properly trapped gully, or in such gully above the level of the water in the trap thereof:

Rain-water pipes not to communicate directly with a closed drain

Provided always that the provisions of this regulation shall not apply in any case where rain-water is intended to be conveyed through a closed drain to any receptacle properly constructed and adapted for the storage of such water and approved by the Local Authority.

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20. (1) The owner of any building who shall intend to cause any drain constructed or to be constructed in connection with such building to empty into a sewer belonging to the Local Authority shall give at least three days' notice in writing in the prescribed form to the Local Authority of his intention to make a sewer connection.

Notice to be given of intention to make a sewer connection

(2) As soon as the Local Authority is satisfied that the owner of the said building is entitled to cause such drain to empty into the said sewer and that the making of such sewer connection would not contravene any of the provisions of these Regulations, the Local Authority shall issue a written permit to such owner authorising the making of such sewer connection.

21. (1) No person shall make any sewer connection unless and until a written permit authorising the making of such sewer connection shall have been issued by the Local Authority, and no person shall make any sewer connection otherwise than under the direction of and in a manner to be approved by the Local Authority.

Sewer connections not to be made without permission

(2) Any person making or attempting to make any sewer connection in contravention of the provisions of this regulation shall be guilty of an offence, and the Local Authority may close, demolish or remove any sewer connection made in contravention of the provisions of this regulation and may recover as a civil debt from the person so offending any expenses incurred by it in so doing.

Unauthorised sewer connections

22. (1) Every person who shall carry out any drainage works in any street, sidewalk or other public place vested in the Local Authority shall, in the carrying out of such works, comply with the following requirements:

Drainage works in streets and other public places

- (a) He shall not disturb the surface of any street, sidewalk or other public place vested in the Local Authority, without the previous consent in writing of the Local Authority, and subject to such conditions as it may prescribe;
- (b) In any case where a sewer connection is to be made, he shall cause such sewer connection to be made at such point in the sewer as may be indicated by the Local Authority.

(2) Nothing contained in this regulation shall be held to impose any liability whatsoever on the Local Authority for any accident or damage to persons or property which may occur in the carrying out of any such drainage works as aforesaid.

23. It shall be lawful for the Local Authority to agree with any owner or occupier of any premises that any drainage works which such owner or occupier desires or is required by the Local Authority to construct shall be constructed by the Local Authority, and the cost of constructing such drainage works shall be repaid by such owner or occupier to the Local Authority, and, in default of payment, the Local Authority may recover the cost as a civil debt.

Local Authority may arrange with owners to carry out private drainage works



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24. The owner of any premises outside the district of the Local Authority may, with the consent of the Local Authority and subject to the provisions of these Regulations, cause any drain constructed upon or in connection with such premises to empty into any sewer belonging to the Local Authority upon such terms and conditions as may be agreed upon between such owner or occupier and the Local Authority:

Owners outside the district may arrange with Local Authority to connect to sewers of Local Authority

Provided always that no person shall cause any such drain to empty into any such sewer until such terms and conditions have been agreed upon.

25. In all cases where, in accordance with the provisions of these Regulations, any work is carried out by the Local Authority in respect of which the said Authority is entitled to recover the cost from any person under the provisions of these Regulations, there may be included in the cost so claimed and recoverable such sum as the Local Authority shall prescribe to cover the cost of surveys, plans, specifications, quantities, supervision and the use of tools and plant, and there shall also be included in such cost any expenditure or labour involved in disturbing, making good and remaking any made road, street or footway or ground affected.

Charges to cover supervision, etc.

26. No occupier of any premises shall throw or introduce or allow others on the said premises to throw or introduce into any cesspool, drain, waste pipe, soil pipe or soil water fitting, constructed in connection with such premises, any tins, bottles, refuse or other matter liable to choke the same.

Tins, bottles, refuse, etc., not to be allowed to enter drains

27. (1) The owner or occupier of any premises shall maintain all openings, whether for ventilation or otherwise, to any drain, and also all traps, gullies and other drainage fittings on his premises in good order and proper repair and in a reasonably clean condition and free from obstruction.

Traps, gullies and ventilation pipes to be kept free from obstruction

(2) Any owner or occupier who fails to comply with the provisions of this regulation shall be guilty of an offence.

PART III

CONSTRUCTION OF DRAINS



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28. Every person who shall construct any drain in connection with a building shall lay such drain and carry out any excavation necessary for the construction of such drain in the following manner:

Excavation for any laying of drains

- (a) He shall cause the ground to be excavated to the required depth with all possible expedition and in a workmanlike manner;
- (b) He shall cause to be erected and maintained during the progress of the work all such fences, hoardings, struttings, shorings and lights (kept lit throughout the night) as may be necessary to or in consequence of any of the works, for the protection of the public or workmen or of any buildings or property whatsoever near to or liable to be affected by the work;
- (c) He shall cause any excavation to be commenced at the outfall end of each drain and continued in straight sections, the bottom of the trench to be accurately cut to the proper gradient for receiving the pipes, and the trench to be made of sufficient width to afford room for the proper laying, bedding and jointing of the pipes;
- (d) He shall cause the laying of the pipes to be carefully performed and each pipe to be laid to a true gradient and in such manner that the body of the pipe shall have a firm bearing throughout its whole length and not upon the socket only;
- (e) He shall cause any excavation to be filled in with earth well rammed in 15.24 centimetres layers, fine material free from stones being packed round the pipes, and the surface at ground level made good to the satisfaction of the Local Authority.

29. Every person who shall construct any drain in connection with a building, other than a drain constructed for the drainage of the subsoil of the site of such building or a drain constructed for the drainage of storm water only or water from any water supply fitting only, shall, in the construction of such drain, comply with the following requirements:

Construction of drains

- (a) He shall cause such drain to be constructed of good sound cylindrical pipes made of glazed stoneware or of heavy cast iron, or of other suitable material which has been approved by the Local Authority;
- (b) He shall cause such drain to be of adequate size, to be a closed drain, to have an internal diameter of not less than 10.16 centimetres, and to be laid with a proper fall, and with watertight, socketed or other approved suitable joints;
- (c) If such drain be constructed of stoneware pipes, he shall, if so required by the Local Authority, cause such drain to be laid on an adequate and efficient bed of good cement concrete at least 7.62 centimetres in thickness or, if such drain be constructed of approved metal pipes, he shall, if so required by the Local Authority, cause such drain to be supported upon a sufficient number of suitable piers constructed of good cement concrete:

Materials to be used in construction of drains

Drains to be of adequate size and to have a proper fall and watertight joints

Foundation for drains

Provided that, where any such drain as aforesaid is to be laid on made or bad ground and where, in the opinion of the Local Authority, such a precaution is necessary, he shall cause such drain to be laid on a bed of good cement concrete not less than 15.24 centimetres in thickness and projecting on each side of the drain to an extent at least equal to the external diameter of such drain and shall cause good cement concrete to be filled in so that it shall extend to the full width of the cement concrete bed already prescribed and so that such drain shall be embedded to the extent of not less than half its diameter.

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30. (1) Every person who shall construct any such drain as is described in regulation 29 shall cause such drain to be laid with a proper and sufficient gradient: Gradient of drains

Provided that-

(i) wherever practicable, he shall cause such drain to be laid with the minimum gradient specified below:

Drains of 10.16 centimetres internal diameter¹ in 40

Drains of 12.70 centimetres internal diameter¹ in 50

Drains of 15.24 centimetres internal diameter¹ in 60;

(ii) wherever the foregoing minimum gradient of a drain shall be found to be impracticable, the Local Authority may, if it shall consider such a precaution necessary, require that special flushing tanks and inspection chambers shall be provided to such drain.

(2) If he shall construct any such drain of cast-iron pipes jointed with socket joints, such joints shall be not less than 6.35 centimetres in depth, shall be made with tarred spun yarn and molten lead or lead wool properly caulked, and the annular space for the lead, in the case of 9.16 centimetres pipes, shall not be less than 0.635 centimetres in width and, in the case of 12.70 centimetres and 15.24 centimetres pipes, shall not be less than 0.9525 centimetres in width; if such drain shall be jointed with flange joints, he shall cause such joints to be securely bolted together and some suitable insertion for jointing placed between the flanges. Jointing of cast-iron drain pipes

(3) If he shall construct any such drain of stoneware pipes, or pipes of material other than metal, such pipes shall be jointed with socket joints properly put together with cement mortar-1 of sand to 1 of cement-a few turns of spun yarn dipped in cement grout being first put round the end of the spigot, to ensure it being concentric with the socket and tightly caulked in; or an approved composition joint may be used. Jointing of stoneware drain pipes

(4) He shall cause proper and efficient means to be employed for keeping the invert of every such drain clear of cement or other matter in the laying and jointing of pipes and shall also cause every such drain to be so laid that a badger, of 0.635 centimetres less diameter than the internal diameter of the drain, shall pass freely through the said drain and so that a fibrous mop of half the internal diameter of the drain shall pass freely through such drain. Invert of drain to be kept clear of obstruction

(5) He shall cause every such drain to be so constructed as to be watertight and to be capable of resisting a pressure of at least 0.6096 metres head of water. For the purpose of applying such pressure, he shall cause all openings to be plugged, and he shall also ascertain the locality of any leaks or defects which may be found to exist on the application of such pressure by the Medical Officer of Health or a Health Inspector or other duly authorised officer, and shall cause any such leaks or defects to be effectively repaired and made good so as to render such drain watertight and capable of resisting such pressure as aforesaid. Drains to be so constructed as to be watertight

(6) If he shall construct any such drain of cast iron, only cast-iron pipes of good quality free from imperfections and well coated internally and externally with Dr. Angus Smith's or other approved rust preventive composition shall be used, and the weight of such cast-iron pipes in proportion to the diameter shall not be less in any case than is prescribed as follows: Sizes and weights of cast-iron drain pipes

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| Internal diameter: centimetres | Thickness of metal | Weight per 2.7432 metres length (including socket and spigot) |
|-----------------------------------|--------------------|---------------------------------------------------------------------|
| 10.16 | 0.9525 cm's | 72 kg. |
| 12.70 | 0.9525 cm's | 85.5 kg. |
| 15.24 | 0.9525 cm's | 103 kg. |

(7) If he shall construct any such drain of stoneware, only the best glazed socketed stoneware pipes which are truly cylindrical in section, straight in shape and free from cracks or other imperfections shall be used, and the thickness of the pipes, the depth of the sockets and the annular space for the cement in proportion to the diameter shall not be less in any case than is prescribed as follows:

Size and thickness of stoneware drain pipes

| Internal diameter: centimetres | Thickness of pipe | Depth of socket | Annular space for the cement |
|-----------------------------------|-------------------|-----------------|------------------------------|
| 10.16 | 1.27 cm's | 4.445 cm's | 0.79375 cm's |
| 12.70 | 1.42875 cm's | 5.08 cm's | 0.79375 cm's |
| 15.24 | 1.5875 cm's | 5.08 cm's | 0.79375 cm's |
| 32.86 | 1.905 cm's | 5.08 cm's | 1.42875 cm's |

(8) He shall not construct any such drain so that any joint of such drain shall be built into any wall or foundation, except in any case where any other mode of construction is impracticable.

Joints of drains not to be built into walls or foundations

(9) He shall not construct any such drain inside so as to pass under a building, except in any case where any other mode of construction is impracticable.

Drains in or under buildings

(10) If he shall construct any such drain so as to pass under a building, he shall cause such drain to be so laid in the ground that there shall be a distance equal at the least to the full diameter thereof between the top of such drain at its highest point and the surface of the ground under such building, and he shall cause such drain to be completely embedded in and covered with good and solid cement concrete at least 15.24 centimetres thick all round:

Provided that, in any case where such drain shall be constructed of iron or other approved metal pipes, he may cause such drain to be carried above ground and to be supported upon a sufficient number of suitable piers constructed of iron or good cement concrete.

(11) He shall also cause any such drain to be laid in a direct line for the whole distance beneath such building and adequate means of access, by means of approved inspection chambers situated outside such building or, in the case of iron or other approved metal pipes carried above ground, by means of approved inspection eyes situated outside such building, to be provided at each end of such portion thereof as is beneath such building, and efficient ventilation of such drain by means of approved ventilating shafts to be provided.



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(12) He shall cause all concrete used in connection with the laying and constructing of any such drain to be composed of clean gravel, hard brick broken small, or other suitable ballast, well mixed with good clean sand, free from earth, and cement in the proportion of 3 parts of sand, 1 part of cement, and 6 parts of other material.

Composition of concrete

(13) In every case where any such drain is laid beneath a wall, he shall cause such drain to be protected at the part beneath the wall by means of an arch, lintel or suitable metal support of sufficient size and strength to prevent any disturbance or other injury to such drain, and constructed at least 5.08 centimetres clear above the drain.

Protection of drains under walls

31. Every person who shall construct any such drain as is described in regulation 29 shall cause every inlet to such drain, not being an inlet provided in pursuance of the regulation in that behalf as an opening for the ventilation of such drain, to be properly trapped by an efficient trap so constructed as to be capable of maintaining a sufficient water seal. He shall not construct or fix in or in connection with any such drain any trap of the kind known as a bell-trap, a dip-trap, a D-trap or a U-trap or a running trap or any such trap as becomes unsealed on the removal of the cover, or any trap of a type which has not been approved by the Local Authority.

Inlets to drains to be trapped

32. (1) No person who shall construct any drain in connection with a building shall construct the several drains of such building in such a manner as to form in such drains any junction either vertical or horizontal nearer than 21/2 degrees to a right angle. He shall cause every branch drain or tributary drain to join another drain obliquely in the direction of the flow of such drain, and as near as practicable to the invert thereof. He shall cause all bends and turnings to be truly curved and, when directly reducing or enlarging the size of any drain, he shall cause such alteration to be properly tapered and to be of good shape.

No right-angled junctions to be made

(2) He shall also, so far as may be practicable, cause every such drain to be laid in a direct line or in a series of direct lines.

33. (1) Every person who shall construct any drain in connection with a building shall, where such drain shall communicate with a septic tank, cesspool or other like receptacle for drainage, not being a sewer belonging to the Local Authority, if so required by the Local Authority, cause to be provided and fixed in such drain a suitable and efficient intercepting trap at a point as distant as may be practicable from such building and as near as may be practicable to the point at which such drain may be connected with such septic tank, cesspool or other like receptacle for drainage.

Drains to be trapped from cesspools and septic tanks, etc., but not from sewers

(2) He shall cause such intercepting trap to be of an approved pattern of good glazed stoneware or of iron coated with approved material, to have the trap bend contracted in size so as to be 1.27 centimetres less than that of the pipe which discharges into it, to be provided with a drop of not less than 5.08 centimetres from the invert of the drain to the surface of the water seal, to have a water seal of not less than 5.08 centimetres in depth, and to be fixed truly level in a bed of good cement concrete.

Intercepting traps

34. No person shall provide or fix an intercepting trap in any drain which communicates directly with a sewer belonging to the Local Authority.

Drains not to be trapped from sewers



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35. Every person who shall construct any closed drain in connection with a building shall cause adequate and efficient inspection chambers to be provided in the positions and in the manner hereinafter required:

Provision of inspection chambers in connection with drains

(a) (i) He shall cause an inspection chamber to be provided at every point in such drain where two or more drains shall converge;

(ii) He shall further cause access to be provided to the satisfaction of the Local Authority, in such manner that all parts of the drain can be rodded efficiently;

(iii) Where any such drain shall communicate directly with a sewer belonging to the Local Authority, he shall cause an inspection chamber to be provided to such drain on the plot on which such building stands but, wherever practicable, within 1.2192 metres of the boundary of the said plot over which such drain is or is to be constructed:

Provided that he may, with the consent in writing of the Local Authority and subject to such conditions as it may prescribe, but not otherwise, cause such inspection chamber as aforesaid to be constructed on a street or sidewalk;

(iv) He shall cause an inspection chamber to be provided at any point where an intercepting trap shall be fixed in such drain.

(b) (i) He shall cause every inspection chamber to be of such internal dimensions as the Local Authority shall require:

Construction of inspection chambers

(iii) Provided that no inspection chamber shall be less than 0.6096 metres in length where the depth of the half channel invert from the surface of the ground adjoining such chamber shall be greater than 18 inches;

(ii) He shall cause every inspection chamber to be constructed of not less than 22.860 centimetres brickwork or stonework built in cement, or of good cement concrete not less than 10.16 centimetres in thickness, to be so constructed as to be watertight up to the level of the adjoining ground surface, and to be rendered with cement plaster at least 1.27 centimetres in thickness and finished with a smooth surface;

(iii) He shall cause every inspection chamber to be fitted with a strong movable airtight cast-iron manhole cover of adequate size and approved design and construction fixed not lower than the surface of the adjoining ground;

(iv) He shall cause the sides of the channels in every inspection chamber to be brought up vertically to a height not less than the diameter of the drains, and shall cause benching, constructed of good cement concrete, to be provided, such benching to be sloped off from the tops of the channels at an angle of 30 degrees from the horizontal and finished with a smooth cement surface.

(As amended by Act No. 328 of 1950)



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36. Every person who shall construct any closed drain in connection with a building shall, for the purpose of securing efficient ventilation of such drain, comply with the following requirements: Ventilation of drains

- (a) He shall provide at least one untrapped opening to such drain, which opening shall be situated as far distant as may be practicable from the point at which such drain communicates with a sewer, septic tank, cesspool or other like receptacle for drainage with which such drain may lawfully communicate, and shall also provide an untrapped opening at the upper extremity of every branch drain which exceeds 6.096 metres in length and which receives any soil water or waste water. Such untrapped opening shall be obtained by carrying up a pipe or shaft, vertically, to such a height and in such a position as to afford by means of the open end of such pipe or shaft a safe outlet for foul air and so as effectually to prevent any escape of foul air from such pipe or shaft into any building in the vicinity thereof, and in no case to a less height than 0.9144 metres above the eaves of any adjoining roof, or to a less height than 1.8288 metres above the top of any window, door or other opening which shall be within a distance of 6.096 metres horizontally from such pipe or shaft, or to a less height than 3.048 metres above the adjoining ground level, and such pipe or shaft, if unsupported for a length of more than 1.524 metres, shall be properly stayed:

Provided always that the soil pipe of any water closet, in every case where the situation, sectional area, height and mode of construction of such soil pipe shall be in accordance with the requirements applicable to the pipe or shaft to be carried up from such drain, may be deemed to provide the necessary opening for ventilation which would otherwise be obtained by means of such last mentioned pipe or shaft;

- (b) He shall cause any opening provided in accordance with the arrangements hereinbefore specified to be furnished with a suitable grating or other cover of approved pattern and material for the purpose of preventing any obstruction in or injury to any pipe or drain by the introduction of any substance through any such opening. He shall, in every case, cause such grating or cover to be so constructed and fitted as to secure the free passage of air through such grating or cover by means of a sufficient number of apertures, of which the aggregate extent shall be not less than the sectional area of the pipe or drain to which such grating or cover may be fitted;
- (c) He shall not, except where unavoidable, cause any bend or angle to be made in any pipe or shaft used in connection with any of the arrangements hereinbefore specified;
- (d) He shall cause every pipe or shaft which may be used in connection with any of the arrangements hereinbefore specified to have an internal diameter of not less than 8.89 centimetres;
- (e) He shall cause every pipe or shaft used in connection with any of the arrangements hereinbefore specified to be constructed in the same manner and of the same material and weight as if such pipe or shaft were a soil pipe.

(As amended by Act No. 328 of 1950)

37. No person shall, except with the approval of the Local Authority, construct any closed drain in connection with a building in such a manner that there shall be within such building any inlet to such drain, except such inlet as may be necessary from the apparatus of any water closet or soil water fitting. No inlets to drains within buildings

(As amended by Act No. 328 of 1950)

PART IV

SOIL PIPES

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38. Every person who shall provide a soil pipe in connection with a building shall, in the providing and fixing of such soil pipe, comply with the following requirements: Soil pipes

- (a) He shall construct such soil pipe either in drawn lead or heavy cast iron or other suitable material which has been approved by the Local Authority; Materials for soil pipes
- (b) He shall construct such soil pipe so that its weight, if the pipe be of lead, and that its thickness and weight, if the pipe be of iron, in proportion to its length and internal diameter, shall be: Size, weight and thickness of soil pipes

| Diameter | Lead | | Cast Iron |
|---------------------------------------|-----------------------------------------------|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Weight per 3.048 metres length, not less than | Thickness of metal, not less than | Weight per 1.8288 metres length (including socket and beaded spigot or flanges, the socket not to be less than 0.635 centimetres thick), not less than |
| 8.89 centimetres 10.16 centimetres | 29.5 kilograms 33.5 kilograms | 0.47625 centimetres 0.47625 centimetres | 21.7 kilograms 24.4 kilograms |

- (c) If he shall construct such soil pipe in drawn lead, he shall cause such soil pipe to be constructed with proper wiped plumbers' joints; Jointing of soil pipes
- (d) If he shall construct such soil pipe of cast iron with socket joints, he shall cause such joints to be not less than 6.35 centimetres in depth and to be made with tarred spun yarn and molten lead or lead wool properly caulked, and he shall also cause the annular space for the lead, in the case of 8.89 centimetres and 10.16 centimetres pipes, to be not less than 0.635 centimetres in width. If he shall construct such soil pipe with flanged joints, he shall cause such joints to be securely bolted together and some suitable insertion for jointing placed between the flanges;
- (e) He shall construct such soil pipe so that it shall not be connected with any rain-water pipe or with any waste pipe or waste water fitting, and so that there shall not be any trap in such soil pipe or between the soil pipe and any drain with which it is connected; Soil pipes not to be connected with waste pipes or rain-water pipes
- (f) He shall construct such soil pipe so that the bend to which it may be connected at the foot shall rest in a solid foundation of good cement concrete and, unless an inspection chamber be provided to the drain to which such soil pipe is connected within a distance of 1.8288 metres from the foot of such soil pipe, so that the bottom length of such soil pipe shall be provided with an adequate opening, fitted with screw doors and fastenings, for the purpose of access and inspection; Access for purposes of inspection to be provided at the foot of soil pipes



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- (g) He shall cause such soil pipe to be circular and to have an internal diameter of not less than 8.89 centimetres, and to be continued up without diminution of its diameter, and (except where unavoidable) without any bend or angle being formed in such soil pipe, to such a height and in such a position as to afford by means of the open end of such soil pipe a safe outlet for foul air and so as effectually to prevent any escape of foul air from such soil pipe into any building in the vicinity thereof, and in no case to a less height than 0.9144 metres above the eaves of any adjoining roof, or to a less height than 1.8288 metres above the top of any window, door or other opening which shall be within a distance of 6.096 metres horizontally from such pipe or shaft or to a less height than 3.048 metres above the adjoining ground level and, if unsupported for a length of more than 1.524 metres, to be properly stayed. He shall also cause the open end of such soil pipe to be furnished with a suitable grating or other cover of approved pattern and material for the purpose of preventing any obstruction in or injury to such soil pipe by the introduction of any substance through such open end and he shall, in every case, cause such grating or cover to be constructed and fitted so as to secure the free passage of air through such grating or cover by means of a sufficient number of apertures, of which the aggregate extent shall be not less than the sectional area of the soil pipe to which such grating or cover may be fitted;
- Size of soil pipes
- (h) He shall not cause or permit any right-angled junctions to be made in such soil pipe, but shall cause every branch soil pipe to join another soil pipe obliquely in the direction of the flow of such soil pipe and shall cause all bends and turnings to be truly curved;
- No right-angled junctions
- (i) He shall cause suitable provision for the purpose of access and inspection to be provided to such soil pipe by means of an adequate opening with screw doors and fastenings or with screwed metallic cap or plug at every junction or change of direction or gradient in such soil pipe:
- Inspection eyes to be provided at all bends and junctions in soil pipes
- Provided that, where adequate means for through rodding shall have been provided in any straight section of such soil pipe by means of adequate openings at the opposite ends of such section, the said provisions of access and inspection may be omitted in the case of any junction in such straight section as aforesaid;
- (j) He shall cause the weight of all branch soil pipes leading from any soil water fitting to a soil pipe or drain, if of lead, to be not less than 3.15 kilograms per 0.3048 metres of lead.
- Weights of branch soil pipes

(As amended by Act No. 328 of 1950)



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39. Any person who shall fix any soil water fitting, the soil pipe of which shall be connected with any soil pipe receiving the discharge from any other soil water fitting, shall cause the trap of every such soil water fitting to be ventilated into the external air at a point as high as the top and open end of the soil pipe, or into the soil pipe at a point above the highest soil water fitting connected with such soil pipe, and so that the ventilating pipe shall have in all parts an internal diameter of not less than 5.08 centimetres, and if more than 15.24 metres in length not less than 7.62 centimetres in diameter, and if more than 24.384 metres in length not less than 10.16 centimetres in diameter, and shall cause such ventilating pipe to be connected with the arm of the soil pipe or the trap of the soil water fitting at an approved point not less than 7.62 centimetres and not more than 30.48 centimetres from the highest part of the trap and on that side of the water seal which is nearer to the soil pipe. He shall cause the joint between the ventilating pipe and the arm of the soil pipe or the trap to be made in the direction of the flow. He shall construct such ventilating pipe in drawn lead or of heavy cast iron or other suitable material which has been approved by the Local Authority. He shall construct such ventilating pipe so that, if the pipe be of lead, its weight shall not be less than the weights specified for soil pipes in paragraph (j) of regulation 38, and, if the pipe be of cast iron, its thickness shall not be less than 0.47625 centimetres. He shall, in all cases, cause the joints in and the connection to such ventilating pipe to be made in the same manner as if such ventilating pipe were a soil pipe:

Anti-syphonage pipes to soil pipes

Provided that-

- (i) where not more than two soil water fittings are connected to an efficiently ventilated vertical soil pipe by means of branch soil pipes not exceeding 10.16 metres in length and meeting the vertical soil pipe at an angle of not more than 15 degrees with the horizontal, it shall not be necessary to ventilate the traps of such soil water fittings;
- (ii) where three or more soil water fittings are connected to an efficiently ventilated vertical soil pipe by means of a branch soil pipe, the end of which shall be carried up above the eaves of the roof in the same manner as specified for soil pipes in paragraph (g) of regulation 38, and such other additional ventilating pipes or shafts as may be necessary are provided and carried up as aforesaid, and which are, in the opinion of the Local Authority, sufficient for the purpose of maintaining the seal in the traps of the soil water fittings connected to such branch soil pipe, it shall not be necessary to provide anti-syphonage pipes as specified in this regulation.

40. Any person who shall connect a lead soil pipe, waste pipe, ventilating pipe or trap with an iron pipe or drain shall insert between such lead soil pipe, waste pipe, ventilating pipe or trap and such iron pipe or drain a flanged thimble of copper, brass or other suitable alloy which shall be not less than 0.3175 centimetres in thickness and 15.24 centimetres in length, so that the lead soil pipe or trap shall project slightly beyond the thimble, such projection being turned over the thimble to protect the thimble from any contact with the contents of the pipe or drain and shall connect such lead soil pipe, waste pipe, ventilating pipe or trap with such thimble by means of a wiped or overcast metallic joint, and shall connect such thimble with such iron pipe or drain by means of a joint made with molten lead properly caulked in the manner prescribed in sub-regulation (2) of regulation 30:

Connection of lead pipe with iron pipe

Provided always that it shall be sufficient if he shall connect the lead soil pipe, waste pipe, ventilating pipe or trap with the iron pipe or drain in a suitable and efficient manner, to be approved by the Local Authority.

41. Any person who shall connect a stoneware or semi-vitrified ware trap or pipe with a lead soil pipe, waste pipe, ventilating pipe or trap shall insert between such stoneware or semi-vitrified ware trap or pipe and such lead soil pipe, waste pipe, ventilating pipe or trap a socket of copper, brass or suitable alloy, and shall insert such stoneware or semi-vitrified ware trap or pipe into such socket, making the joint with cement, in the manner prescribed in sub-regulation (3) of regulation 30, and shall connect such socket with the lead soil pipe, waste pipe, ventilating pipe or trap, by means of a wiped or overcast metallic joint:

Connection of stoneware pipe with lead pipe

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Provided always that it shall be sufficient if he shall connect the stoneware or semi-vitrified ware trap or pipe with the lead soil pipe, waste pipe, ventilating pipe or trap in a suitable and efficient manner, to be approved by the Local Authority.

42. Any person who shall connect a lead soil pipe, waste pipe, ventilating pipe or trap with a stoneware or semi-vitrified ware pipe or drain shall insert between such lead soil pipe, waste pipe, ventilating pipe or trap and such stoneware or semi-vitrified ware pipe or drain a flanged thimble of copper, brass or other suitable alloy, so that the lead soil pipe or trap shall project slightly beyond the thimble, such projection being turned over the thimble to protect the thimble from any contact with the contents of the pipe or drain, and shall connect such lead soil pipe, waste pipe, ventilating pipe or trap with such thimble by means of a wiped or overcast metallic joint, and shall insert the flanged end of such thimble into a socket in such stoneware or semi-vitrified ware pipe or drain, making the joint with cement in the manner prescribed in sub-regulation (3) of regulation 30:

Connection of lead pipe with stoneware pipe

Provided always that it shall be sufficient if he shall connect the lead soil pipe, waste pipe, ventilating pipe or trap with the stoneware or semi-vitrified ware pipe or drain in a suitable and efficient manner, to be approved by the Local Authority.

43. Any person who shall connect an iron soil pipe, waste pipe, ventilating pipe or trap with a stoneware or semi-vitrified ware pipe or drain shall insert the beaded spigot end of such iron soil pipe, waste pipe, ventilating pipe or trap into a socket on such stoneware or semi-vitrified ware pipe or drain, making the joint with cement in the manner prescribed in sub-regulation (3) of regulation 30:

Connection of iron pipe with stoneware pipe

Provided always that it shall be sufficient if he shall connect the iron soil pipe, waste pipe, ventilating pipe or trap with the stoneware or semi-vitrified ware pipe or drain in a suitable and efficient manner, to be approved by the Local Authority.

44. Every person who shall connect a stoneware or semi-vitrified ware trap or pipe with an iron soil pipe, waste pipe, trap or drain shall insert such stoneware or semi-vitrified ware trap or pipe into a socket on such iron soil pipe, waste pipe, trap or drain, making the joint with cement in the manner prescribed in sub-regulation (3) of regulation 30:

Connection of stoneware pipe with iron pipe

Provided always that it shall be sufficient if he shall connect the stoneware or semi-vitrified ware trap or pipe with the iron soil pipe, waste pipe, trap or drain in a suitable and efficient manner, to be approved by the Local Authority.

PART V

WASTE PIPES AND WASTE WATER FITTINGS

45. Every person who shall provide a waste pipe or a waste water fitting in connection with a building shall, in the providing and fixing of such waste pipe and such waste water fitting, comply with the following requirements:

Waste pipes and waste water fittings

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- (a) He shall construct such waste pipe either of lead, steel, cast iron or wrought iron, and shall not in any case construct such waste pipe either of galvanised sheet iron or zinc; Materials for waste pipes
- (b) He shall cause such waste pipe to be properly trapped at a point as near as may be practicable to the point at which such waste pipe is attached to any waste water fitting, by means of an efficient syphon trap: Waste pipes to be trapped
 Provided that a waste pipe which does not exceed 0.9144 metres in length, and which receives the discharge from one waste water fitting only, may be fixed without a trap;
- (c) He shall cause every trap fixed in connection with such waste pipe to be constructed either of lead, brass, gun-metal or iron and to be of an approved pattern and to be provided on the side or underside with a screwed movable plug. He shall cause every such trap to be fixed in such manner that the whole of the trap shall be easily accessible and to be provided with a water seal at least 5.08 centimetres in depth: Traps for waste pipes
 Provided that a trap fixed in connection with a waste pipe receiving the discharge from a bath only may be provided with a water seal 3.81 centimetres in depth;
- (d) He shall not fix in connection with such waste pipe any trap of the kind known as a bell-trap, a dip-trap, a D-trap or a U-trap or running trap, or any such trap as becomes unsealed on the removal of the cover. He shall cause every trap fixed in connection with such waste pipe to be of the same internal diameter as the waste pipe to which it is connected;
- (e) If he shall construct such waste pipe of iron, he shall cause such waste pipe to be constructed either of cast iron not less than 0.47625 centimetres in thickness or of wrought iron not less than 0.3175 centimetres in thickness; Iron waste pipes
- (f) If he shall construct such waste pipe of lead, he shall cause such waste pipe to be fixed by means of proper lead tacks at not more than the following distances apart: Fixing and weight of lead waste pipes
 Vertically-at 0.9144 metres centres;
 Horizontally-at 0.6858 metres centres;
 and every such waste pipe, in proportion to its internal diameter, shall be of the following minimum weight:

| Internal diameter | Per linear metre |
|-------------------|------------------|
| 3.175 centimetres | 3.15 kg. |
| 3.81 centimetres | 4.05 kg. |
| 5.08 centimetres | 5.4 kg. |

- (g) He shall cause such waste pipe, wherever practicable, to be fixed above floors and, in any case where such waste pipe shall be fixed below any floor, he shall provide adequate and satisfactory means of access to such pipe for the purpose of inspection and cleansing; Waste pipes to be fixed in accessible positions

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- (h) He shall cause every such waste pipe to be taken through an external wall of such building at the nearest practicable point and so constructed and fixed as to discharge into the open air, either separately or in conjunction with a common waste pipe receiving the discharge from two or more waste water fittings over an open channel not more than 45.72 centimetres in length communicating with or over a properly trapped gully or into such gully above the level of the water in the trap thereof: Disconnection of waste pipes

Provided that, with the approval of the Local Authority and subject to such conditions as it may prescribe with regard to the construction of a floor of impervious materials, floor washings or a waste pipe from a bath or a lavatory basin may be permitted to discharge into an open channel communicating with a trapped gully inside a building where the waste water from such trapped gully as aforesaid shall discharge by means of a proper waste pipe into the open air over a trapped gully in the manner already provided for in this regulation;

- (i) He shall cause every such waste pipe from a sink to have an internal diameter of not less than 3.81 centimetres; Sizes of waste pipes

He shall cause every such waste pipe from a lavatory basin to have an internal diameter of not less than 3.175 centimetres;

He shall cause every such waste pipe from a bath to have an internal diameter of not less than 3.175 centimetres;

He shall cause every such waste pipe which shall receive the discharge from two or more waste water fittings to have an internal diameter of not less than 5.08 centimetres:

Provided that, in the case of a common waste pipe receiving the discharge from lavatory basins only and where such lavatory basins shall not exceed four in number, such a common waste pipe may be provided with an internal diameter of not less than 3.81 centimetres;

- (j) He shall cause every such waste water fitting to be fixed as near as may be practicable to an external wall of such building and the outlet for waste water from such waste water fitting shall be provided with a good and efficient brass grate of approved type, well and securely fixed, the aggregate extent of the apertures in which shall not be less than the sectional area of the waste pipe to which such waste water fitting is fixed. He shall cause every such waste water fitting to be constructed of impervious materials having rounded corners or angles, and, if provided with an overflow pipe, such overflow pipe shall be connected to the waste pipe receiving the discharge from such waste water fitting on that side of the water seal in the trap provided to such waste pipe which is the nearer to the waste water fitting, and the upper end of such overflow pipe shall be so arranged as to permit of the whole of the overflow being easily cleansed; Fixing of waste water fittings

- (k) He shall cause every trap fixed in connection with such waste pipe to be ventilated into the open air at a safe outlet for foul air by means of a pipe, which shall be connected with the highest part of such trap and on that side of the water seal which is nearer to the outgo, and which shall have in all parts an internal diameter not less, in proportion to the internal diameter of the trap which it ventilates, than is prescribed as follows: Anti-syphonage pipes for waste pipes

| Internal diameter of trap | Internal diameter of vent pipe |
|----------------------------|--------------------------------|
| 3.175 centimetres | 2.54 centimetres |
| 3.81 centimetres | 3.175 centimetres |
| 4.1275 to 5.08 centimetres | 3.81 centimetres |

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Provided that-

(i) where not more than three waste water fittings are connected to an efficiently ventilated vertical waste pipe the end of which shall be carried up to a height of not less than 30.48 centimetres above the eaves of the roof, by means of branch waste pipes not exceeding 3.6576 metres in length, or, where four or more waste water fittings are connected to such ventilated vertical waste pipe by means of a branch waste pipe the end of which shall be carried up to a height of not less than 30.48 centimetres above the eaves of the roof, and such additional ventilating pipes or shafts as may be necessary are provided and carried up above the eaves as aforesaid, and which are, in the opinion of the Local Authority, sufficient for the purposes of preventing syphonic action from the traps of the waste water fittings, it shall not be necessary to ventilate the traps as specified in this regulation;

(ii) in the case of a waste pipe not exceeding 3.6576 metres in length and which receives the discharge from one waste water fitting only and which is not connected with any other waste pipe, it shall not be necessary to ventilate the trap of the waste water fitting;

- (l) He shall cause the joints of every such waste pipe and the joints of every ventilating pipe provided in connection with any trap fixed to any such waste pipe to be made as follows: Jointing of waste pipes

If such waste pipe or ventilation pipe be constructed of lead or cast iron, the joints shall be made in the same manner as if such waste pipe or ventilation pipe were a soil pipe;

If such waste pipe or ventilation pipe be constructed of galvanised wrought iron, the joints shall be made by the pipes being butted closely together and secured by means of screwed joints and couplings, the depth of the couplings being equal at the least to half the diameter of such waste pipe or ventilation pipe;

- (m) He shall not cause or permit any right-angled junctions to be made in such waste pipe, but shall cause every branch waste pipe to join another waste pipe obliquely in the direction of the flow of such waste pipe, and shall cause all bends and turnings to be truly curved; No right-angled junctions

- (n) He shall cause every such waste pipe and every ventilation pipe fixed in connection therewith to be kept entirely separate and distinct from any soil pipe or any ventilation pipe fixed in connection with such soil pipe. Separate system required for waste pipes

46. Notwithstanding the provisions of regulations 38, 39 and 45, the Local Authority may in its discretion permit the use of one pipe and single stack drainage systems.

(No. 122 of 1956)

Local Authority may permit one pipe and single stack drainage systems

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47. No person shall cause any pipe used for the purpose of carrying off rain-water from the roof of any building to be used for the purpose of carrying off soil water or waste water or to be used as a ventilating pipe to any drain, soil pipe or waste pipe.

Rain-water pipes not to be used for conveying soil water or waste water

48. No person shall cause any overflow pipe from any water supply cistern, flushing cistern or water waste preventer, or from any safe under any soil water fitting or waste water fitting, to be connected with any drain, soil pipe, waste pipe or ventilating pipe, but shall cause such overflow pipe to discharge directly into the open air in a manner and in a position to be approved by the Local Authority.

Overflow pipes from water supply cisterns or safes not to be connected with any drain, soil pipe, waste or ventilating pipe

PART VI

GULLY TRAPS

49. Any person who shall provide and fix a gully trap in connection with the drainage of any building shall cause such gully trap to be of good glazed stoneware, or other approved material, and to be provided with a trap having a water seal of not less than 6.35 centimetres in depth and, except where otherwise required by the Local Authority, to be of the wash-down type with the bottom of the gully well rounded. He shall also cause every such gully trap to be fitted with a suitable grating with open slots 1.27 centimetres wide, the aggregate area of which slots shall be equal to the sectional area of the pipe or drain into which the gully trap discharges. He shall also cause such gully trap to be well and securely fixed in a bed of good cement concrete.

Gully traps

PART VII

GREASE TRAPS

50. The Local Authority may, by written notice addressed to the owner of any hotel, boarding-house, eating-house, restaurant or laundry, or of any factory, workshop or other premises from which waste water or sewage of a fatty or soapy character is or is to be discharged into any drain or sewer, require such owner within a reasonable time, to be specified in such notice, to provide and fix in connection with the drainage of such premises a proper and efficient grease trap of an approved pattern and constructed of approved materials for the reception of all waste water from any kitchen or scullery connected with such premises or any waste water or sewage of a fatty or soapy character from such premises before such waste water or such sewage is discharged into such drain or sewer, and any such owner who shall fail to comply with the requirements of any such notice within the time specified shall be guilty of an offence.

Grease traps

PART VIII

WATER CLOSETS, SLOP-HOPPERS, URINALS, ETC.



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51. Every person who shall construct a water closet in connection with a building shall, in the construction of such water closet, comply with the following requirements: Water closets

- (a) He shall furnish such water closet with a pan, basin or other suitable receptacle of non-absorbent material, and of such shape, capacity and mode of construction as to receive and contain a sufficient quantity of water, and to allow all filth which may from time to time be deposited in such pan, basin or receptacle to fall free of the sides thereof, and directly into the water received and contained in such pan, basin or receptacle;
- (b) He shall not construct or fix under such pan, basin or receptacle any "container" or other similar fitting. He shall not construct or fix in or in connection with the water closet apparatus any trap of the kind known as a D-trap;
- (c) He shall cause every such water closet, other than a water closet of the kind known as a trough closet, to be of the wash-down type, to be self-cleansing and to be provided with a trap having a water seal not less than 5.08 centimetres in depth, and, except in the case of an approved syphonic closet, the outlet of the trap to be not less than 8.89 centimetres or more than 10.16 centimetres internal diameter. He shall cause the pan and trap of such water closet to be of porcelainware, or well glazed stoneware, or the trap may be of strong case lead;
- (d) He shall not fix or cause to be fixed any such water closet, other than a water closet of the kind known as a trough closet, of a type which has not been tested by the Local Authority and found, on testing, to be so designed and constructed as to secure the complete clearing out of dejecta and paper according to the standard test as set out in the Schedule;
- (e) If he shall construct any water closet of the kind known as a trough closet, he shall cause such water closet to be provided with a trap having a water seal not less than 5.08 centimetres in depth and the outlet to the trap to be not less than 8.89 centimetres or more than 10.16 centimetres internal diameter, and he shall cause the trough and trap to be of glazed stoneware or other suitable and impervious material to be approved by the Local Authority:

Provided that no person shall construct a water closet of the kind known as a trough closet except with the written permission of the Local Authority and subject to such terms and conditions as it may prescribe.

52. Every person who shall construct a urinal shall, in the construction of such urinal, comply with the following requirements: Urinals

- (a) He shall cause such urinal to be constructed of smooth or glazed impervious material, to be fitted at floor level with a trap, which shall have a water seal not less than 5.08 centimetres in depth, and the floor of such urinal to be constructed of good cement concrete at least 10.16 centimetres in thickness or of other approved impervious materials. He shall also cause such floor, whether the urinal be of the stall or the basin type, to be laid with a proper fall towards such gully for a distance of at least 45.72 centimetres from the said gully trap;
- (b) If he shall construct a urinal of the basin type, he shall cause the soil pipe connected to the basin of such urinal to discharge directly over such gully trap or into a proper smooth or glazed channel leading thereto;
- (c) If he shall construct a range of urinals, only one gully trap shall be provided to such range and communication between each urinal and gully trap shall be provided by means of a smooth or glazed channel. He shall also cause the floor to be laid with a proper fall towards such channel for a distance of at least 45.72 centimetres from the said channel;
- (d) He shall cause every gully trap provided in connection with such urinal to be provided with a movable or hinged strong barred grate.

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53. Every person who shall construct a slop-hopper in connection with a building shall, in the construction of such slop-hopper, comply with the following requirements: Slop-hoppers

- (a) He shall cause such slop-hopper to be composed of porcelainware, well glazed stoneware or of smooth enamelled cast iron and the outlet to be fitted with a movable enamelled cast-iron grating with parallel slots of at least 1.27 centimetres in width, such grating to be fixed above the water line of the trap of such slop-hopper, and the surface thereof shall not be less than the outgo of the spigot of such slop-hopper;
- (b) He may, if he so desire, provide a second grating to such slop-hopper to be fitted above the aforesaid first grating; if he shall provide such a second grating, he shall cause the width of the slots in such second grating to be not less than 3.81 centimetres in width, and such second grating shall be hinged or movable;
- (c) He shall not construct any such slop-hopper which is composed of two pieces unless the junction of such two pieces be constructed above the water line of the trap of such slop-hopper and the joint be of sufficient depth and strength to secure its immobility;
- (d) If he shall cause a housemaid's sink to be attached to such slop-hopper, the waste pipe from such sink shall not exceed 0.6096 metres in length and shall be so fixed as to discharge above the level of the water in the trap of such slop-hopper;
- (e) Unless such slop-hopper be fixed on a floor of good cement concrete not less than 10.16 centimetres in thickness, he shall cause such slop-hopper to be placed upon a safe constructed in the same manner and of the same materials as if the slop-hopper placed on such safe were a water closet.

54. Any person who shall construct a soil water fitting in connection with a building shall, in the construction of such soil water fitting, comply with the following requirements: Traps and joints of soil water fittings

- (a) He shall cause such soil water fitting to be provided with an efficient syphon trap having a water seal at least 5.08 centimetres in depth;
- (b) He shall, except in the case of an approved floor flange joint, cause the junction of such trap with any soil pipe to be above the level of the floor of the apartment in which such soil water fitting is fixed and to be so situated as to be readily accessible and exposed to view on all sides. Notwithstanding anything contained in regulations 40, 41, 42, 43 and 44, he shall, when so required by the Local Authority, cause the joint between the spigot of such trap and a soil pipe to be made with bitumen or other like material which is not liable to crack, which will quickly set hard and firm, but which is capable of removal by heating:

Provided that the provisions of this paragraph shall not apply in the case of a water closet which shall be fixed in the manner as described in regulation 62 (b) (ii), or in the case of any joint or junction between a urinal and any gully trap connected therewith.



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55. Any person who shall construct any soil water fitting in connection with a building shall, in the construction of such soil water fitting, comply with the following requirements:

- (a) He shall furnish such soil water fitting with an approved and separate water flushing cistern of adequate capacity, which shall be so constructed, fitted and placed as to admit of a supply of water for use in such soil water fitting without any direct connection between any service pipe upon such building and any part of the apparatus of such soil water fitting, other than such water supply cistern. He shall likewise furnish such soil water fitting with a suitable and approved apparatus for the effectual application of water to any pan, basin or other receptacle with which such apparatus may be connected and used, and for the effectual flushing and cleansing of such pan, basin or other receptacle, and for the prompt and effectual removal therefrom of any solid or liquid filth which may from time to time be deposited therein;
- (b) He shall cause such water flushing cistern to be fitted with a valveless flushing syphon and a strong approved high pressure valve connected to the water inlet, and shall also provide such cistern with an overflow pipe of drawn lead or galvanised wrought iron having an internal diameter of not less than 1.905 centimetres, which shall be carried through an external wall of such building so as to discharge into the open air in an exposed position;
- (c) He shall cause every such cistern provided in connection with a water closet to have a capacity of at least 13.638 litres:
 Provided that, in the case of any trough closet, such cistern shall have a capacity of at least 22.73 litres per seat of such trough closet;
- (d) He shall cause every urinal or range of urinals fixed in any public place, or in any hotel or other building which is not a private building, to be provided with an automatic water flushing cistern capable of discharging at least 4.546 litres of water per urinal for each 0.6096 metres width of stand at intervals not exceeding twenty minutes;
- (e) He shall cause the flushing pipe furnished to every such water flushing cistern to be either of drawn lead of the weights specified for waste pipes, or of copper, nickel or brass or of strong galvanised wrought iron, and to be fixed vertically and properly connected to such cistern and the soil water fitting in an approved and workmanlike manner;
- (f) He shall, in the case of every flushing pipe of a water supply cistern furnished to any water closet other than a trough closet, cause the length of the flushing pipe, measured vertically from the discharge end to the bottom of the water supply cistern, and the internal diameter of such pipe to be as follows:
 High Level Cisterns-1.362 metres or more in length, not less than 3.175 centimetres internal diameter.
 Low Level Cisterns-0.6096 metres to 1.362 metres in length, not less than 3.81 centimetres internal diameter. 0.3048 metres to 0.6096 metres in length, not less than 4.445 centimetres internal diameter. Flushing pipes under 0.3048 metres in length, not less than 5.08 centimetres internal diameter;

Soil water fittings to be provided with water flushing cisterns

Capacity of water flushing cisterns to water closet

Capacity of water flushing cisterns to urinals

Materials for flushing pipes

Size and length of flushing pipes to water closets



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- (g) He shall cause every water flushing cistern provided to any trough closet to be fixed at such a level that the flushing pipe furnished to such cistern shall not be less than 1.828 metres vertically in height and shall have an internal diameter not less in any case than as follows:
- 3.81 centimetres internal diameter for cisterns with a capacity of less than 90.92 litres.
 - 5.08 centimetres internal diameter for cisterns with a capacity of 90.92 litres to 136.38 litres.
 - 6.35 centimetres internal diameter for cisterns with a capacity of more than 136.38 litres;
- (h) He shall cause the flushing pipe of any water flushing cistern furnished to a urinal to be fixed with such a length as to provide a vertical height of not less than 0.9144 metres between the discharge end of such pipe and the underside of such water flushing cistern and to have an internal diameter of not less than 1.905 centimetres;
- (i) He shall cause every water flushing cistern furnished in connection with such soil water fitting to be constructed of such materials, in accordance with the holding capacity of such cistern, as to comply with the following requirements:
- Water flushing cisterns up to 13.638 litres capacity shall be of strong galvanised cast iron or other material which has been approved by the Local Authority.
 - Water flushing cisterns over 13.638 litres and up to 81.828 litres capacity may be constructed of galvanised sheet iron of No. 18 gauge.
 - Water flushing cisterns over 81.828 litres capacity may be constructed of galvanised sheet iron of No. 16 gauge.
 - Every such cistern constructed of galvanised sheet iron shall be well riveted and stayed together and the joints made sound and watertight.
- 56.** No person shall construct in connection with a water closet any automatic water flushing cistern except with the written permission of the Local Authority and subject to such terms and conditions as it may prescribe, and no such automatic water flushing cistern shall be of less holding capacity than 22.73 litres.
- 57.** Every person who shall construct an automatic water flushing cistern in connection with a urinal and every person who, with the written permission of the Local Authority, shall construct an automatic water flushing cistern in connection with a water closet shall, in the construction of such urinal or water closet, and such automatic water flushing cistern, comply with the following requirements:
- (a) He shall cause such urinal or range of urinals, or such water closet, trough closet or set of closets, to be erected in such a manner and such a position that the automatic water flushing cistern and the stop-cocks connected thereto shall be easily accessible;
 - (b) He shall also cause such cistern to be provided with two stop-cocks, one of a screw-down type for regulating, and the other for shutting off the water supply, and shall cause such cistern to be regulated in the supply of water, and the water turned off at fixed hours, in accordance with any instructions that may be given by the Local Authority.



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58. The occupier of any premises on or for which any water closet is for the time being provided shall, in so far as he is able, cause such water closet at all times to be properly supplied with a sufficient quantity of water for the proper and efficient flushing thereof, and where, by the act or default of such occupier, any such water closet shall at any time be without a proper and sufficient water supply as aforesaid, such occupier shall be guilty of an offence.

Water closets to be kept provided with a sufficient supply of water

59. (1) Every person who shall construct a soil water fitting in connection with a building shall construct such soil water fitting in such a position that it shall be against or adjacent to an external wall.

Position of soil water fittings

(2) He shall also cause such soil water fitting to be enclosed in a suitable apartment constructed in such a manner and of such material as shall meet with the approval of the Local Authority and, in the case of any water closet, in accordance with the provisions of regulation 62 (a).

(3) He shall not construct any such soil water fitting or the apartment connected therewith so that it is approached directly from any room, other than a bedroom, used for the purpose of human habitation, or used for the manufacture, preparation or storage of food for man, or used as a factory, workshop, workplace or public building. He shall construct such soil water fitting so that on any side on which it would abut on a room, other than a bedroom, intended for human habitation, or used for the manufacture, preparation or storage of food for man, or used as a factory, workshop, workplace or public building, it shall be enclosed by a solid wall or partition of brick, stone, concrete or other suitable materials, extending the entire height from the floor to the ceiling.

Soil water fittings in buildings

60. (1) Every person who shall construct a soil water fitting in connection with a building, whether the situation of such soil water fitting be or be not within or partly within such building, shall construct in one of the walls of the apartment in which such soil water fitting is situated a window, the whole of which shall be made to open, of not less dimensions than 0.1858 square metres, exclusive of the frame, and opening directly upon the external air.

Apartment in which a soil water fitting is situated to be lit and ventilated

(2) Such apartment as aforesaid, in addition to such window, shall also be provided with adequate means of constant ventilation by at least one ventilating aperture, of not less dimensions than 13.3776 square metres, exclusive of any frame, built in an external wall of such apartment.

61. Every person who, in connection with a building, shall construct any water closet of the kind known as a trough closet shall construct such water closet so that the entrance thereto shall open directly to the external air.

Trough closets to be approached from external air

62. Every person who shall construct a water closet in connection with a building shall, in the construction of such water closet, comply with the following requirements:

Water closets



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- (a) He shall cause the apartment in which such water closet is constructed to be substantially built of brick, stone or cement concrete, or of iron framed with iron or wood, and such apartment shall not be of less size in any case than 1.524 metres by 0.9144 metres inside measurements, and not less than 1.843 metres in height. If such apartment be built of iron framed with iron or wood, he shall cause such apartment to have a brick wall at least 11.43 centimetres in thickness, or a stone wall at least 20.32 centimetres in thickness, or a cement concrete wall at least 10.16 centimetres in thickness, built up at least 0.6096 metres above the level of the floor of the apartment and rendered with cement plaster at least 1.905 centimetres in thickness and finished with a smooth surface.

Size, materials and construction of water closet chambers

He shall cause every such apartment as aforesaid to be provided with proper doors and fastenings:

Provided that, in the case of a water closet of the kind known as a trough closet, such doors and fastenings may, with the written consent of the Local Authority, be omitted.

- (b) He shall cause such water closet to be fixed in one of the following ways, but not otherwise:

Fixing of water closets above floor level

- (i) He shall cause the whole of the pan and the trap of such water closet to be fixed entirely above the level of the floor of the apartment in which such water closet is constructed and to be provided with a seat of hardwood, hinged at the back, or some other suitable type of seat which has been approved by the Local Authority. He shall not cause or permit the pan of such water closet to be enclosed or cased round in any manner, but shall construct the same in such a manner that the whole of the pan shall be fully exposed to view.

He shall cause the floor of such apartment as aforesaid either to be constructed of good cement concrete not less than 10.16 centimetres in thickness, or of other impervious materials to be approved by the Local Authority, or, in any case where the floor of such apartment as aforesaid shall be constructed of wood or other absorbent materials, he shall, when so required by the Local Authority, cause the pan of such water closet to be placed upon a safe, constructed of lead or of other suitable impervious materials which have been approved by the Local Authority.

Floors of water closet chambers

He shall cause such safe to be securely fixed and so constructed as to be watertight, and shall provide the same with an overflow pipe of drawn lead or galvanised wrought iron, having an internal diameter of not less than 1.905 centimetres which shall discharge directly into the external air.

Safes under water closets

- (ii) He shall cause the whole of the pan of such water closet to be so sunk below the level of the floor of the apartment in which such water closet is constructed that the upper face of the flushing rim of such pan shall be at the level of the floor of the said apartment, and he shall cause the whole of the pan and the trap of such water closet to be firmly embedded in good cement concrete at least 10.16 centimetres in thickness. He shall also cause the floor of the said apartment to be constructed of good cement concrete at least 10.16 centimetres in thickness, and to be so laid with a slope on all sides of the pan of such water closet that any liquid which may fall upon such floor will flow into the pan of such water closet.

Fixing of water closets below floor level

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PART IX

SEPTIC TANKS AND SEWAGE FILTER INSTALLATIONS, ETC.

- 63.** No person shall construct any septic tank, storage tank, sewage filter installation or other works for the treatment, reception or disposal of sewage, except with the written permission of the Local Authority and then only subject to the following conditions, or such other conditions as it may impose:
- (a) He shall not construct any such septic tank, storage tank, sewage filter installation or other works for the treatment, reception or disposal of sewage under any building nor so that it shall have, by drain or otherwise, any inlet for rain-water or other surface water or any outlet into or means of communication with any sewer. The situation of the septic tank shall be as approved by the Local Authority;
- (b) He shall cause any such septic tank, storage tank, sewage filter installation or other works for the treatment, reception or disposal of sewage to be constructed in such a manner and in such a position as to afford ready means of access thereto for the purpose of cleansing the same, and of removing the contents thereof, and in such manner and in such a position as to admit of the contents thereof being removed therefrom and from the premises to which such septic tank, sewage filter installation or other works for the treatment or disposal of sewage may belong, without being carried through any building;
- (c) He shall cause any such septic tank, storage tank, sewage filter installation or other works for the treatment, reception or disposal of sewage to be sufficiently covered over, to be adequately and efficiently ventilated and to be so protected as to prevent any nuisance therefrom and so as to prevent the breeding of mosquitoes in connection therewith;
- (d) He shall not commence the construction of any such septic tank, storage tank, sewage filter installation or other works for the treatment, reception or disposal of sewage until the Local Authority shall be satisfied that adequate and satisfactory provision has been made for the periodic emptying and cleansing of the same or for the innocuous disposal of the effluent or filtrate therefrom, as the case may be;
- (e) He shall cause the walls, floors and coverings of any septic tank, sewage storage tank, effluent tank and such parts of the walls of any enclosure tank for the reception of filtering medium that may be necessary to be constructed of impervious materials and so as to be watertight.

Septic tanks, etc.

Distance from buildings and plot boundaries

Situation and means of access

To be covered and ventilated

Disposal of effluents and filtrates

To be watertight

(As amended by Act No. 328 of 1950)

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PART X

DISPOSAL OF SEWAGE

64. No person shall dispose of solid or liquid sewage or sewage effluent in such a manner or in such a position as to cause or be likely to cause dampness in any building or part thereof, or to endanger the purity of any water supply, or to create any nuisance:

Disposal of sewage

Provided that nothing in this regulation shall be deemed to prohibit the disposal of waste water from baths, lavatory basins or kitchen sinks by a satisfactory method of surface irrigation or sub-irrigation in such manner that no dampness of buildings, breeding of mosquitoes, pollution of water supplies or other form of nuisance is caused thereby.

PART XI

DEPOSIT OF DRAINAGE PLANS, GIVING OF NOTICES, ETC.

65. (1) Every person who shall intend to construct or to carry out any drainage works or works connected in any way with the drainage of any premises shall deposit with the Local Authority at its offices notice in writing of such intention. He shall at the same time deposit such plans, sections and particulars of the proposed works as may be required by the Local Authority.

Notice to be given and plans deposited of new drainage works

(2) He shall cause such plans and sections to be clearly and indelibly made on linen to a scale of not less than 2.540 centimetres to every 4.8768 metres, and shall, amongst other things, show thereon every floor of any building in connection with which such pipes or drains are to be used, and the position, form, levels and arrangements of the several parts of such building, including the roof thereof, and the size, gradient and position of every drain, and the size, position and mode of construction of every septic tank, cesspool or other receptacle for drainage, manhole or inspection chamber, and the size and position of every gully, soil pipe, waste pipe, ventilating pipe and rain-water pipe, and of any drain passing under such building, and the position of every bath, water closet apparatus, slop-hopper, slop sink, urinal, lavatory basin or apparatus, sink and trap in connection with the foregoing.

(3) He shall also show thereon the position of all windows and other openings into the building within a distance of 6.096 metres from the open end of a soil pipe or ventilating pipe.

(4) He shall at the same time deposit with the Local Authority at its offices a detailed description in writing of the intended mode of constructing, jointing and fixing any such drain, septic tank, cesspool or other receptacle for drainage, manhole or inspection chamber, gully, soil pipe, waste pipe, ventilating pipe, bath, water closet apparatus, slop-hopper, slop sink, urinal, lavatory basin or apparatus, sink or trap.

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(5) He shall at the same time deposit with the Local Authority at its offices a block plan of the premises upon which any such building is or is to be situated, or any such work is to be carried out (drawn to a scale of not less than 2.540 centimetres to every 4.8768 metres) and he shall show thereon-

- (a) the block plan of such building;
- (b) the position of the whole of the buildings on the premises, and so much of the properties adjoining thereto as may be affected by the proposed work;
- (c) the names of the streets or thoroughfares immediately adjoining the premises, and the number or designation of the premises;
- (d) the difference of the level between the lowest floor of such building and the adjoining ground;
- (e) the level of any yard, area or ground, or open space belonging to such premises;
- (f) the lines of drainage, with the size, depth and inclination of the proposed drainage, fall of the ground and depth of the connection to any sewer, septic tank, cesspool or other receptacle for drainage, and, so far as can be ascertained without opening the ground, the lines, size, depth and inclination of the existing drainage, the surface drains (if any) and the arrangement for the ventilation of the drains, the existing pipes and drains and the proposed pipes and drains to be distinctly indicated by different colours;
- (g) the position, form and depth of every existing or proposed manhole or inspection chamber, gully, junction, bend, intercepting trap, or any connection with a sewer, septic tank, cesspool or other receptacle for drainage;
- (h) the points of the compass:

Provided that, where the plans, sections and particulars deposited in accordance with the requirements of sub-regulation (1) clearly show the particulars hereinbefore required to be shown on a block plan, it shall not be necessary to deposit a block plan.

(6) The plans, sections, particulars and detailed descriptions hereinbefore mentioned shall be deposited with the Local Authority twenty-eight days at least before the work is proposed to be commenced, and, in the case where a building is to be erected, before commencing the erection of such building.

(7) Such person shall sign such plans, sections and particulars, or cause the same to be signed by his duly authorised agent.

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66. Every person who shall make any addition to, partially construct, entirely or partially reconstruct or alter any such works as are described in the last preceding regulation shall be deemed to have satisfied the provisions of the said regulation, if he shall cause a deposit to be made (in the manner therein provided) of any such plans, sections and particulars of the proposed addition, partial construction, entire or partial reconstruction or alteration as may be necessary for the purpose of enabling the Local Authority to ascertain whether such addition, partial construction, entire or partial reconstruction or alteration is in accordance with the provisions of these Regulations and any other regulations, rules and by-laws of the Local Authority relating thereto, and, if in any case plans and sections have been previously deposited in conformity with the provisions of the last preceding regulation, it shall be sufficient for him to refer to such previous deposit, and to give in writing the date thereof, and to show the new work on the plans and sections to be deposited, and only so much of the existing work as will enable the Local Authority to see the relative positions of the new and old work.

Addition to, partial construction, entire or partial reconstruction, or alteration of existing drainage works

67. One copy of any plans, sections and particulars deposited in compliance with the provisions of regulations 65 and 66 shall remain the property of the Local Authority.

Copy of plans and particulars to remain property of Local Authority

68. As soon as the Local Authority is satisfied that any plans, sections or particulars deposited in accordance with the provisions of regulations 65 and 66 do not contravene any of the provisions of these Regulations and any other regulations, rules and by-laws of the Local Authority relating thereto, and are in other respects satisfactory, it shall cause its approval thereof to be signified in writing.

Approval of drainage

69. No person shall begin to construct, install, connect, or make any addition to, partially construct, entirely or partially reconstruct, or alter any such works as are described in sub-regulation (1) of regulation 65 until he has given notice of his intention and has deposited the plans, sections and particulars hereinbefore required under the provisions of regulations 65 and 66, and the Local Authority has either intimated its approval of such work or failed to intimate its disapproval thereof within the period hereinafter prescribed in that behalf; and, subject to regulation 71, no person shall, except with the written permission of the Local Authority, carry out such work as aforesaid otherwise than in accordance with the approved plans.

Drainage work not to be commenced before notice given, plans deposited and approval obtained

70. If, within thirty days of the receipt of any plans or notice delivered in accordance with these Regulations, the Local Authority shall fail to intimate to the person submitting such plans its disapproval of the proposed work which the said person intends to carry out, the person submitting the plans may proceed with such work in accordance with such plans, but not so as to contravene any of the provisions of these Regulations or any other regulations, rules and by-laws of the Local Authority relating thereto or any amendments thereof in force for the time being.

In default of notification by Local Authority, drainage work may be proceeded with

71. Notwithstanding anything contained in any preceding regulation, where, in the opinion of the Medical Officer of Health, in consequence of either an existing nuisance or a case of infectious disease on any premises, the carrying out of any such work as is described in sub-regulation (1) of regulation 65 and in regulation 66 on such premises is a matter of urgency, the Medical Officer of Health may serve a written notice upon the owner of such premises, a copy of which shall be delivered forthwith to the Local Authority, certifying that the carrying out of any such work as aforesaid is a matter of urgency, whereupon the owner of such premises may proceed forthwith to carry out such work before any such plans, sections or particulars as may be required under the provisions of regulations 65 and 66 shall have been deposited with the Local Authority and shall forthwith send to the Local Authority notice in writing of his intention so to do:

Alterations and construction of drainage work in cases of urgency



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Provided that-

- (i) where, on a written certificate of urgency issued by the Medical Officer of Health, any such work as aforesaid shall be carried out on any premises, the person carrying out such work shall, within fourteen days from the date of the commencement of such work, deposit the plans, sections and particulars required under the provisions of regulations 65 and 66;
- (ii) nothing contained in this regulation shall be held to relieve the person carrying out such work as aforesaid from the necessity of complying, in the carrying out of such work, with the provisions of these Regulations and any other regulations, rules and by-laws of the Local Authority relating thereto.

72. (1) Every person who shall intend to carry out any such work as is described in sub-regulation (1) of regulation 65 and in regulation 66 shall deliver to the Local Authority at its offices notice in writing of such intention at least twenty-four hours before such person begins to carry out any such work as aforesaid.

Notice before drainage work is commenced

(2) The delivery of any notice and the deposit of any plans, sections or particulars as provided in regulations 65 and 66 shall not be deemed to be a notice under this regulation.

73. (1) Every person who shall carry out any such work as is described in sub-regulation (1) of regulation 65 and in regulation 66 shall, as soon as such work is ready for testing, give notice in writing to the Local Authority that such work is ready for testing, and he shall afford to any duly authorised officer of the Local Authority every facility for inspection and for the purpose of making such tests of the work as may be deemed necessary.

Notice that work is completed and ready for testing

(2) Upon receipt of any such notice as aforesaid, the Local Authority shall within forty-eight hours cause such work to be inspected and tested.

74. No person shall proceed to cover up any such work as is described in sub-regulation (1) of regulation 65 and in regulation 66 until such work has been inspected, tested and approved by the Medical Officer of Health or other duly authorised officer of the Local Authority.

Drainage work not to be covered up until tested and approved

75. Where any person shall carry out any such work as is described in sub-regulation (1) of regulation 65 and in regulation 66 and where, after completion, such work shall have been inspected, tested and approved, the Local Authority shall issue to the owner of the premises upon which such work has been carried out a certificate in writing that the said work, after completion, inspection and testing, has been approved:

Certificate to be issued on completion of drainage

Provided always that such certificate shall not in any way be held to impose any liability whatsoever on the Local Authority or any of its officers or on the Government for any loss or damage that may be caused through any such work not being designed or carried out in a proper, efficient and workmanlike manner or through any such work being carried out otherwise than in accordance with the approved plans and these Regulations.

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76. If any person who is entitled to proceed with any drainage work under regulations 68 and 70 fails to do so within the period of one year, the notice given by him shall be held to have lapsed, and he shall give fresh notice of his intention before proceeding to carry out such work, and that in the manner hereinbefore prescribed.

Fresh notice to be given if work not proceeded with within one year

77. Any person who shall carry out or begin to carry out any works in contravention of the provisions of these Regulations shall be guilty of an offence, and, whether proceedings have been taken against the person offending or not, the Local Authority may serve upon the person so offending a notice in writing requiring him, within a time to be specified in such notice, to execute such alteration upon or to carry out such additions to such works as may be necessary to render such works in accordance with the provisions of these Regulations, or to cut into, lay open, remove or demolish the same. Any person who shall fail to comply with the requirements of any such notice as aforesaid within the time specified therein shall be guilty of an offence, and the Local Authority may cause the said works to be altered, cut into, laid open, removed, demolished or otherwise dealt with, and the expenses incurred by it in so doing may be recovered as a civil debt from the person so offending.

Unauthorised drainage work
Local Authority may order unauthorised work to be demolished, removed or otherwise dealt with

PART XII

PROVISION OF LATRINE ACCOMMODATION

78. (1) It shall not be lawful newly to erect any domestic building or public building or to re-erect any domestic building or public building, any two external walls of which have been pulled down or burned down or which have fallen down to or below the level of the ground floor, or to occupy or, being the owner thereof, permit to be occupied any such domestic building or public building without proper and sufficient latrine accommodation so situated as to be conveniently accessible to all persons to be employed or accommodated therein.

New buildings must be provided with latrine accommodation

(2) For the purposes of this regulation, in the case of a domestic building the whole or any part or portion of which is designed or intended to be used as a dwelling-house, such a domestic building shall not be deemed to be provided with proper and sufficient latrine accommodation unless each and every dwelling-house in such domestic building shall be provided with proper, sufficient and separate latrine accommodation so situated as to be conveniently accessible to the inmates of such dwelling-house:

Every new dwelling-house must be provided with separate latrine accommodation

Provided that, notwithstanding anything contained in this regulation, where, in the opinion of the Local Authority, sufficient latrine accommodation can be so conveniently situated that it may be used in common by the inmates of two or more dwelling-houses or the inmates of one or more dwelling-houses and of any part of a domestic building not being a dwelling-house, it shall be lawful for the Local Authority to require to be provided such latrine accommodation as it may deem sufficient for the use of such occupants as aforesaid and to allow such latrine accommodation to be used in common by such occupants.

(3) Any person who causes any domestic building or public building newly to be erected or to be re-erected or who occupies or, being the owner thereof, permits to be occupied any such newly erected or re-erected domestic building or public building in contravention of the provisions of this regulation shall be guilty of an offence.

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79. (1) If a domestic building or a public building appears to the Local Authority to be without proper and sufficient latrine accommodation so situated as to be conveniently accessible to the inmates of or the persons employed or accommodated in such domestic building or public building, the Local Authority shall, by written notice served upon the owner or occupier of the domestic building or public building, require such owner or occupier, within a reasonable time to be specified in such notice, to provide proper and sufficient latrine accommodation so situated as to be conveniently accessible to the inmates of or the persons employed or accommodated in such domestic building or public building.

Local Authority to enforce provision of latrine accommodation to existing buildings

(2) Any owner or occupier who, on receipt of such written notice, shall fail to comply with the requirements of such notice within the time specified shall be guilty of an offence, and the Local Authority may, after the expiration of the time specified in the notice, do the work required to be done, and may recover as a civil debt from the owner the expenses incurred by it in so doing.

(3) For the purposes of this regulation, in the case of a domestic building the whole or any part or portion of which is used as a dwelling-house, such a domestic building shall not be deemed to be provided with proper and sufficient latrine accommodation unless each and every dwelling-house in such domestic building shall be provided with proper, sufficient and separate latrine accommodation so situated as to be conveniently accessible to the inmates of such dwelling-house:

Latrines used in common by inmates of existing dwelling-houses

Provided that, where, at the date of the application of these Regulations in accordance with the provisions of regulation 2, latrine accommodation has been and is used in common by the inmates of two or more existing dwelling-houses, or the inmates of one or more existing dwelling-houses, and of any part of an existing domestic building not being a dwelling-house, and if, in the opinion of the Local Authority, such latrine accommodation may continue to be so used, the Local Authority may permit such latrine accommodation to be used in common for such period of time as it may think fit, and it need not require separate latrine accommodation to be provided for each such dwelling-house.

80. (1) The owner or occupier of every factory, workshop, workplace or other premises where persons are employed or in attendance, or every boarding-house or hotel, shall provide such factory, workshop, workplace, boarding-house, hotel or other premises as aforesaid with proper and sufficient latrine accommodation, regard being had to the number of persons employed in or in attendance or housed at such factory, workplace, workshop, boarding-house, hotel or other premises as aforesaid, and also where persons of both sexes are or are to be employed or in attendance or housed, with proper accommodation for persons of each sex, and such owner or occupier shall, in the provision of such latrine accommodation, comply with the following requirements:

Latrines for factories, workshops, boarding-houses, hotels, etc.

- (a) In factories, workshops, workplaces, boarding-houses, hotels or other premises as aforesaid where females are employed or in attendance or housed, he shall provide one water closet for every 25 females, or one pail closet for every 15 females.

In factories, workshops, workplaces, boarding-houses, hotels or other premises as aforesaid where males are employed or in attendance or housed, he shall provide one water closet for every 25 males or one pail closet for every 15 males:

Provided that, where the number of males employed or in attendance or housed exceeds 10 and sufficient urinal accommodation is also provided, it shall be sufficient if there is one water closet for every 25 males up to the first 100, and one for every 40 after, or one pail closet for every 15 males up to the first 150 and one for every 25 after.

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In calculating the number of latrines required under this regulation, any number of persons less than 15, 25 or 40, as the case may be, shall be reckoned as 15, 25 or 40 respectively;

- (b) He shall cause every latrine to be kept in a cleanly state;
- (c) He shall cause every latrine to be under cover and so partitioned off as to secure privacy, and, if for the use of females, to have proper doors and fastenings;
- (d) He shall cause all latrine accommodation to be so arranged and maintained as to be conveniently accessible to all persons employed in such factory, workshop, workplace or other premises as aforesaid at all times during their employment;
- (e) He shall, where persons of both sexes are employed, cause the latrines for each sex to be so placed or so screened that the interior shall not be visible, even when the door of any latrine is open, from any place where persons of the other sex have to work or pass; and, if the latrines for one sex adjoin those for the other sex, the approaches shall be separate;
- (f) He shall, when so required by the Local Authority, cause every latrine which is used at night to be provided with adequate lights kept lit during the night;
- (g) He shall cause all latrine accommodation to be so arranged and maintained as to be conveniently accessible at all times to all persons who are accommodated in such factory, workshop, workplace, boarding-house, hotel or other premises as aforesaid.

(2) If it shall appear to the Local Authority that the provisions of this regulation have not been complied with in regard to any factory, workshop, workplace, boarding-house, hotel or other premises where persons are employed or in attendance or housed, the Local Authority shall serve a written notice upon the owner or occupier of such factory, workshop, workplace, boarding-house, hotel or other premises as aforesaid requiring such owner or occupier, within a time to be specified in such notice, to provide proper and sufficient latrine accommodation in accordance with the provisions of this regulation, and any such owner or occupier who shall fail to comply with the requirements of any such notice within the time specified shall be guilty of an offence.

81. (1) The owner or occupier of every school, college, theatre, public hall or public place of assembly for persons admitted by ticket or otherwise shall provide such school, college, theatre, public hall or public place of assembly as aforesaid with proper and sufficient latrine accommodation, regard being had to the number of persons for whom accommodation is or is to be provided in such school, college, theatre, public hall or public place of assembly as aforesaid and with proper separate accommodation for persons of each sex, and such owner or occupier shall, in the provision and maintenance of such latrine accommodation, comply with the following requirements:

Latrines for schools, colleges, theatres, public halls, etc.



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- (a) In schools and colleges:
- (i) He shall provide latrine accommodation for all females who are or are to be accommodated therein as follows:
- Water closets and pit latrines-*
- 1 closet or seat for every 10 or part of 10 for the first 30.
Over 30 and under 50-4 closets or seats.
Over 50 and under 70-5 closets or seats.
Over 70 and under 100-6 closets or seats.
And thereafter 1 closet or seat for every 25 or part of 25.
- Bucket latrines-*
- 1 bucket for every 10 or part of 10.
- (ii) He shall provide latrine accommodation for all males who are or are to be accommodated therein as follows:
- Water closets and pit latrines-*
- 1 closet or seat for every 20 or part of 20 for the first 100 and thereafter 1 closet or seat for every 30 or part of 30.
- Bucket latrines-*
- 1 bucket for every 15 or part of 15.
- In addition the male sanitary block shall be provided with urinal accommodation to the extent of 0.6096 metres of urinal for every 20 males or part of 20.
- (iii) Where pit latrines are installed pits shall be to a depth of not less than 6.096 metres.
- (iv) He shall cause all latrine accommodation to be so arranged and maintained as to be conveniently accessible at all times to all children who are accommodated in such school or college.
- (b) In theatres, public halls or public places of assembly as aforesaid:
- (i) He shall provide one water closet for females for every 200 persons who are or are to be accommodated therein, or one pail closet for females for every 150 persons who are or are to be accommodated therein;
- (ii) He shall provide one water closet for males for every 200 persons who are or are to be accommodated therein, or one pail closet for males for every 150 persons who are or are to be accommodated therein; when males are accommodated, he shall also provide proper and sufficient urinal accommodation for such males in addition to any such closets as aforesaid;
- (iii) He shall, in calculating the number of latrines required under sub-paragraphs (i) and (ii), reckon any number of persons less than 150 or 200, as the case may be, as 150 or 200 respectively;
- (iv) He shall cause all latrine accommodation to be so arranged and maintained as to be conveniently accessible to all persons accommodated in such theatre, public hall or public place of assembly as aforesaid at all times during which they are so accommodated:

Provided that, notwithstanding anything contained in sub-paragraphs (i) and (ii), in the case of race meetings, shows or extraordinary gatherings, it shall be lawful for the Local Authority to require such latrine accommodation in excess of the provisions specified in sub-paragraphs (i) and (ii) as the Local Authority may consider necessary.

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- (c) In schools, colleges, theatres, public halls or public places of assembly as aforesaid:
- (i) He shall cause every latrine to be kept in a cleanly state;
 - (ii) He shall cause every latrine to be under cover and so partitioned off as to secure privacy, and, in the case of any water closet or pail closet, to have proper doors and fastenings;
 - (iii) He shall cause the latrines for each sex to be so placed or so screened that the interior shall not be visible, even when the door of any latrine is open, from any place where persons of the other sex have to or are permitted to pass; and, if the latrines for one sex adjoin those for the other sex, the approaches shall be separate;
 - (iv) He shall, when so required by the Local Authority, cause every latrine which is used at night to be provided with adequate lights kept lit during the night.

(2) If it shall appear to the Local Authority that the provisions of this regulation have not been complied with in regard to any school, college, theatre, public hall or public place of assembly as aforesaid, the Local Authority shall serve a written notice upon the owner or occupier of such school, college, theatre, public hall or public place of assembly as aforesaid requiring such owner or occupier, within a time to be specified in such notice, to provide proper and sufficient latrine accommodation in accordance with the provisions of this regulation, and any such owner or occupier who shall fail to comply with the requirements of any such notice within the time specified shall be guilty of an offence.

(As amended by Act No. 272 of 1942)

82. Every contractor, builder or other person employing workmen for the demolition, construction, reconstruction or alteration of any building, or other work in any way connected with a building, shall provide in an approved position and thereafter maintain for such time as workmen are engaged thereon sufficient and convenient latrine accommodation for such workmen.

Temporary latrines for workmen

83. With respect to any latrine used in common by the occupiers of two or more separate dwelling-houses, domestic buildings or premises, or by other persons, the following provision shall have effect:

Improper use of latrines used in common

If any such person injures or improperly fouls such latrine, or anything used in common therewith, he shall be guilty of an offence.

84. Any person who shall injure or shall make improper or unclean use of any public latrine, or a latrine provided in connection with any church or place of public worship, theatre, public hall or other public place of assembly, shall be guilty of an offence.

Improper use of public latrines

85. (1) No person shall construct a latrine in connection with a building other than a water closet or a urinal, where any part of the site of such latrine or such building shall be within 60.96 metres of a sewer belonging to the Local Authority, which is at a suitable level, and where there is sufficient water supply.

No latrine other than a water closet to be constructed within 60.96 metres of a sewer



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(2) Any person who shall construct a latrine so as to contravene any of the provisions of this regulation shall be guilty of an offence, and the Local Authority may demolish and remove such latrine, and may recover from such person as a civil debt the cost incurred in demolishing and removing the same.

86. No person shall provide, construct or fix any latrine other than a water closet or a urinal inside or under the same roof as any dwelling-house, unless separated from the main building by a ventilated passage, and any person who shall provide, construct or fix any such latrine so as to contravene the provisions of this regulation shall be guilty of an offence.

No latrine other than a water closet or urinal to be provided inside a dwelling

87. Every person who shall erect any latrine, not being a water closet or a urinal, in connection with a building shall cause all reasonably practical measures to be used to prevent flies gaining access to the apartment of such latrine, and any person who, in the erection of any such latrine, shall fail to comply with the provisions of this regulation shall be guilty of an offence.

Latrines other than water closets and urinals to be protected against the entrance of flies

88. If it shall appear to the Local Authority that all reasonably practical measures have not been or are not being used to prevent flies gaining access to the apartment of any latrine, such latrine not being a water closet or a urinal, the Local Authority shall serve a written notice upon the owner of such latrine requiring him, within a reasonable time to be specified in such notice, to carry out such reasonably practical works as may be necessary to prevent flies gaining access to the apartment of such latrine, and any such owner who, on receipt of such notice, shall fail to comply with the requirements of such notice within the time specified shall be guilty of an offence.

Local Authority to enforce latrines being protected against flies

PART XIII

PAIL CLOSETS

89. Every person who shall construct or provide a pail closet in connection with a building shall, in the construction and provision of such pail closet, comply with the following requirements:

Pail closets

(a) He shall not construct or provide such pail closet within 3.0485 metres of any kitchen;

Distance of pail closets from kitchens

(b) He shall not construct or provide such pail closet within any part of a dwelling-house or under the same roof as any dwelling-house, but shall construct such pail closet so that the entrance opens directly into the external air and so that, on any side on which it would abut on any part of a dwelling-house, it shall be separated from such dwelling-house by a solid wall or partition of brick, stone or concrete or other suitable materials, extending the entire height from the floor to the ceiling;

Not to be in a dwelling-house



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| (c) | He shall not construct or provide such pail closet so that it is approached directly from any room used for the manufacture, preparation, storage or sale of food for man, or used as a factory, workshop, workplace or public building, but shall construct or provide such pail closet so that, on any side on which it would abut on a room intended for the manufacture, preparation, storage or sale of food for man, or used as a factory, workshop, workplace or public building, it shall be enclosed by a solid wall or partition of brick, stone, concrete or other suitable materials, extending the entire height from the floor to the ceiling; | Pail closets in buildings |
| (d) | Where the entrance to such pail closet does not open directly into the external air, he shall cause such pail closet to be entirely separated and cut off from any room used for the manufacture, preparation, storage or sale of food for man, or used as a factory, workshop, workplace or public building, by means of a passage or lobby provided with a window of not less dimensions than 0.1858 square metres, exclusive of the frame, and opening directly into the external air. Such passage or lobby, in addition to such window, shall also be provided with adequate means of constant ventilation by at least one ventilating aperture, of not less dimensions than 13.3776 square metres, exclusive of any frame, built in an external wall of such passage or lobby; | Ventilation lobby for pail closets in buildings |
| (e) | He shall, whether the situation of such pail closet be or be not within such building, construct in one of the external walls of such pail closet an opening for light and ventilation of not less dimensions than 0.1858 square metres, situated as near to the top of such pail closet as convenient, and communicating directly with the external air, which opening shall be properly and efficiently covered with fly-proof gauze so as to prevent the entrance of flies; | Pail closets to be lit and ventilated and protected against entrance of flies |
| (f) | He shall construct or provide such pail closet in such a manner and in such a position as to afford ready means of access to such pail closet for the purpose of cleaning the same and of removing filth therefrom, and in such a manner and in such a position as to admit of all filth being removed from such pail closet, and from the premises to which it may belong, without being carried through any domestic building or public building; | Siting of pail closets |
| (g) | He shall not construct or provide such pail closet otherwise than in accordance with the standard pattern approved by the Local Authority or with plans and specifications submitted to and approved by the Local Authority; | Pail closets to be built in accordance with a standard design |
| (h) | When any premises are provided with pail closets, the owner or occupier shall not make use of any pail in such pail closets other than the pail supplied by the Local Authority, except with the written permission of that Authority, and shall pay the monthly charge made by the Local Authority for the provision of buckets as required; | Only pails provided by Local Authority to be used |
| (i) | No person shall sell, hire or transfer to any premises or building any pail supplied by the Local Authority; | Transfer of pails prohibited |
| (j) | The occupier of any building containing any pail closet which is supplied with a pail shall provide a proper and sufficient supply of earth, sand, sifted ash or disinfectant for use in such closets; | Pail closet to be provided with earth, etc. |

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- (k) He shall not construct or provide such pail closet in such a position as to cause annoyance to the neighbouring occupiers or to depreciate neighbouring property. Site of pail closet

PART XIV

PIT CLOSETS

90. No person shall construct or provide latrine accommodation of the kind known as a pit closet or latrine accommodation situated over any hole or excavation in the ground, which hole or excavation is intended for the reception of human excreta, except where, in the opinion of the Local Authority, the site of such proposed accommodation and the character of the soil are in every respect suitable and satisfactory for such a purpose and the Local Authority shall have signified its approval thereof in writing, and then only subject to such conditions as the Local Authority may prescribe. Pit closets not to be constructed without permit from Local Authority

PART XV

MISCELLANEOUS

91. Notices and other documents under these Regulations may be in writing or print, or partly in writing and partly in print, and, if the same require authentication by the Local Authority, the Town Engineer or the Medical Officer of Health, the signature thereof respectively by the Town Clerk, Town Engineer, Medical Officer of Health, Health Inspector or District Secretary, as the case may be, shall be sufficient authentication. Notices, etc., may be printed or written

92. Notices and other documents required or authorised to be served under these Regulations may be served by delivering the same to or at the residence of the person to whom they are respectively addressed, or, where addressed to the owner or occupier of premises, by delivering the same, or a true copy thereof, to some person on the premises, or, if there is no person on the premises who can be served, by fixing the same on some conspicuous part of the premises; they may also be served by post by a prepaid letter and, if served by post, shall *prima facie* be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post; and in proving such service it shall be sufficient to prove that the notice or other document was properly addressed and put in the post. Service of notices

93. No defect in the form of any notice or other document made under these Regulations shall invalidate or render unlawful any administrative action, or be a ground for exception to any legal proceedings which may be taken in the matter to which such notice or other document relates, but the requirements thereof must be substantially and intelligibly set forth. Defect in form not to invalidate notices, etc.



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94. Any person guilty of an offence against, or contravention of or default in complying with, any provision of these Regulations shall be liable, on conviction, to a fine not exceeding fifty kwacha and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which he shall make default. Penalties

(As amended by Act No. 13 of 1994)

SCHEDULE

(Regulation 51)

REQUIREMENTS REGARDING WATER CLOSETS

Standard Test

1. Trap to be properly filled with water; coloured fluid to be poured into trap. Basin to be soiled with plumbers' soil or liquid mud. Flush.

Basin must be so cleared as to leave water in basin clear and clean at the completion of one flush.

2. Trap to be properly filled with water. Four pieces of potato or apple to be placed in the trap, none of which shall exceed 5.08 centimetres in diameter. A piece of cotton waste, sponge or cloth to be placed in the trap, not to exceed 5.08 centimetres in diameter; also 3 pieces of toilet paper, crumpled up, to be placed in the trap and toilet paper to be placed over water surface and around sides of basin. Flush.

Basin must be completely cleared of all solids by one flush.

REGULATION 2 OF THE PUBLIC HEALTH (DRAINAGE AND LATRINE) REGULATIONS-APPLICATION

Notices by the Minister

The whole of the Regulations apply to-

City of Lusaka.(No. 47 of 1953)

City of Kitwe.(No. 47 of 1953)

Chingola Municipality.(No. 190 of 1946)

Chipata Township.(No. 21 of 1950)

Choma Township.(No. 287 of 1952)

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Kabwe Municipality.(No. 47 of 1953)

Kafue Township.(No. 87 of 1952)

Kalomo Township.(No. 159 of 1957)

Kasama Township.(No. 273 of 1959)

Livingstone Municipality.(No. 88 of 1932)

Luanshya Municipality.(No. 47 of 1953)

Mansa Township.(No. 176 of 1960)

Mazabuka Township.(No. 205 of 1956)

Mbala Township.(No. 206 of 1959)

Mongu Township.(No. 105 of 1967)

Monze Township.(No. 14 of 1956)

Mufulira Municipality.(No. 47 of 1953)

Regulation 81 applies to all Municipalities and Townships.

(No. 167 of 1943)

Regulations 12, 15, 16, 17 and 19 apply to Nkana Mine Township.

(No. 199 of 1960)

THE PUBLIC HEALTH (SALE OF ICE AND AERATED WATERS) REGULATIONS

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10. Right of entry
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12. Duties of person to whom a permit is granted
13. Only approved filters to be used
14. Contact with copper or lead prohibited
15. Sale of unfit or dirty ice or aerated water prohibited
16. Infectious persons not to be employed
17. Notification of infectious disease
18. Urgent closure to protect public health
19. Exhibition of Regulations
20. Person to whom permit has been granted responsible for breach of Regulations
21. Penalties

SECTIONS 75 AND 82-THE PUBLIC HEALTH (SALE OF ICE AND AERATED WATERS) REGULATIONS

Government Notices

2 of 1933

12 of 1937

327 of 1950

134 of 1952

171 of 1954

291 of 1964

Act

51 of 1963

13 of 1994

Regulations by the Minister

1. These Regulations may be cited as the Public Health (Sale of Ice and Aerated Waters) Regulations. Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations

(As amended by Act No. 291 of 1964)

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3. In these Regulations, unless the context otherwise requires-

Interpretation

"aerated water" includes every kind of non-alcoholic effervescent liquid prepared for human consumption and sold in bottles, syphons, casks or other vessels;

"permit" means a permit granted under these Regulations.

(As amended by Acts No. 12 of 1937, No. 171 of 1954 and No. 51 of 1963)

4. No person shall use any premises for the manufacture for sale of any aerated waters or ice unless he shall first have obtained a permit from the Local Authority authorising him to use them in such a way.

Necessary permit

(No. 134 of 1952)

5. A permit may be issued for a period not exceeding one calendar year, and no permit shall continue in force beyond the 31st December in the year for which it was issued.

Duration of permit

6. Any person desiring a permit shall send to the Local Authority a written application on a form to be obtained from the office of the Local Authority, and shall furnish all the information required by such form.

Application for permit

(As amended by Act No. 327 of 1950)

7. No permit shall be granted unless the Medical Officer of Health is satisfied that the premises in respect of which such permit is desired comply with the regulations governing such premises and are suitable for the purpose for which they are intended to be used.

Premises to be to the satisfaction of the Medical Officer of Health

8. The Local Authority may refuse to grant or renew any permit, or may grant such permit on such conditions as it may lay down. A breach of any condition attached to a permit shall be deemed to be a breach of these Regulations.

Conditional permit

(As amended by Act No. 327 of 1950)

9. No permit shall be transferable from the premises in respect of which it is granted to any other premises.

Transfers

10. The Medical Officer of Health or any Health Inspector may at any time enter upon and inspect any premises used or suspected of being used as an aerated water or ice factory. In the course of such inspection, any such officer may examine the water supply and any utensils which may be found on the premises and the process of manufacture employed, and may take samples of any material or ingredient used in any such processes, and, for the purpose of such inspection, may make any inquiry he deems necessary. Any person who, directly or indirectly, wilfully hinders, obstructs, resists or refuses information or gives false or misleading information to any such officer in the course of such inspection shall be deemed to have contravened these Regulations.

Right of entry

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11. Every person granted a permit shall provide for use in his factory, to the satisfaction of the Medical Officer of Health, a sufficient supply of pure water, free from risk of contamination.

Water supply

12. Every person granted a permit shall-

Duties of person to whom a permit is granted

- (a) at all times maintain his premises in a state of thorough cleanliness and ventilation;
- (b) cause all bottles, vessels and other articles and utensils used for the manufacture of or to contain aerated water or ice intended for sale or consumption to be kept thoroughly clean;
- (c) provide and use apparatus for the cleansing and sterilising of bottles to the satisfaction of the Medical Officer of Health;
- (d) cause all the preparation or mixing of sweet ingredients used in the manufacture of aerated water to be carried out in a room or apartment effectively screened against flies;
- (e) cause all vessels containing syrups or mixtures of syrups to be adequately protected against flies and dust;
- (f) mark all bottles in which his produce is sold with a description of the contents and a clear indication of the name and address of the manufacturer.

(As amended by Act No. 134 of 1952)

13. No person engaged in the manufacture of aerated water or ice shall keep or use in connection with such manufacture any filter which is not of a type approved in writing by the Medical Officer of Health; and every filter so kept or used shall be periodically cleansed in strict accordance with the directions of the Medical Officer of Health. Any person found using a filter not satisfactorily cleansed shall be guilty of an offence.

Only approved filters to be used

14. No person shall allow any aerated water or ice, or any water in the process of being converted into aerated water or ice, to come in contact with any copper or lead or any other metal likely to contaminate water.

Contact with copper or lead prohibited

15. No person shall sell, expose for sale or cause to be exposed for sale aerated water or ice which is unfit for human consumption, or any aerated water in any dirty vessel or bottle. Any aerated water or ice so sold or exposed for sale may forthwith be seized, removed and destroyed by the Medical Officer of Health or Health Inspector or any person authorised in writing by the Medical Officer of Health. Any bottle containing aerated water which, before being charged with such water, has not been sterilised in the manner laid down under paragraph (c) of regulation 12 by the Medical Officer of Health shall be deemed to be a dirty bottle within the meaning of this regulation, and the cost of removing and destroying any such aerated water or ice may be recovered by the Medical Officer of Health from the owner thereof or the person by whom the same was sold or exposed for sale, in addition to any penalty under this regulation.

Sale of unfit or dirty ice or aerated water prohibited

16. No person to whom a permit has been granted shall cause or allow any person (whether himself or another) suffering from any infectious or contagious disease to be employed in or about his premises.

Infectious persons not to be employed



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17. Every person to whom a permit has been granted in respect of any aerated water or ice factory shall inform the Medical Officer of Health without delay of the occurrence of any infectious or contagious disease in such factory, and shall comply with any directions the Medical Officer of Health may give for the purpose of disinfecting such premises and preventing the spread of such disease.

Notification of infectious disease

18. If, in the opinion of the Medical Officer of Health, the consumption of aerated water or ice manufactured at any factory is likely to prove detrimental to the public health, any magistrate may, by special order, order such factory to be closed and forbid the sale of any aerated water or ice manufactured in such factory for a period to be specified in such order.

Urgent closure to protect public health

19. A copy of these Regulations, which may be obtained on application to the Medical Officer of Health, shall be fixed and maintained in some conspicuous place on all premises in respect of which a permit has been granted.

Exhibition of Regulations

20. The breach of any of these Regulations by any person upon any premises in respect of which a permit has been granted shall be deemed to be a breach by the person to whom a permit has been granted.

Person to whom permit has been granted responsible for breach of Regulations

21. Any person guilty of an offence against or in contravention of, or default in complying with, any of these Regulations shall be liable, on conviction, to a fine not exceeding seven hundred and fifty penalty units, and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which he shall make default:

Penalties

Provided that the court before which any such conviction may be obtained may, in addition to or in substitution for any of the aforesaid penalties, revoke or suspend any permit.

(As amended by Act No. 13 of 1994)

REGULATION 2 OF THE PUBLIC HEALTH (SALE OF ICE AND AERATED WATERS)
REGULATIONS-APPLICATION

Notices by the Minister

The whole of the Regulations apply to-

City of Lusaka.(No. 48 of 1953)

City of Kitwe.(No. 48 of 1953)

City of Ndola.(No. 5 of 1936)

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Chingola Municipality.(No. 188 of 1946)

Chipata Township.(No. 20 of 1950)

Choma Township.(No. 239 of 1955)

Kabwe Municipality.(No. 48 of 1953)

Kasama Township.(No. 273 of 1959)

Livingstone Municipality.(No. 43 of 1933)

Mbala Township.(No. 206 of 1959)

Mongu Township.(No. 106 of 1967)

Mufulira Municipality.(No. 48 of 1953)

THE PUBLIC HEALTH (SALE OF BAKERY PRODUCTS) REGULATIONS

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5. Duration of licence
6. Transfers
7. Application for licence
8. Medical Officer of Health to certify premises as suitable
9. Powers of Local Authority to make conditions
10. Right of entry
11. Requirements of licensed premises
12. Duties of licensee
13. Expectorating prohibited
14. Mixing machines
15. Every person to wash his hands before beginning work
16. Infectious persons not to be employed
17. Notification of infectious disease
18. Tea rooms, etc., to be licensed separately
19. Responsibility of licensee for premises
20. Exhibition of Regulations
21. Penalties

SECTIONS 75 AND 82-THE PUBLIC HEALTH (SALE OF BAKERY PRODUCTS) REGULATIONS

Regulations by the Minister

Government Notices
108 of 1933
13 of 1937
190 of 1947
174 of 1954
291 of 1964
Act
51 of 1963
13 of 1994

1. These Regulations may be cited as the Public Health (Sale of Bakery Products) Regulations. Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations

(As amended by Act No. 291 of 1964)

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3. In these Regulations, unless the context otherwise requires-

Interpretation

"baker" means any person who makes, stores or purveys any breadstuffs, pastry or confectionary for use by persons other than those residing on the premises on which he works;

"bakery" means any premises on which is carried on any of the processes of or incidental to baking, or the manufacture or storage of breadstuffs, pastry or confectionary for use by persons other than those residing on the premises;

"bakery product" includes bread, biscuits, rolls, tarts, cakes, pies, confectionery or sweetmeats.

(As amended by Acts No. 13 of 1937, No. 174 of 1954 and No. 51 of 1963)

4. No person shall carry on the trade of baker in any premises within the district of a Local Authority unless he shall have first obtained from the Local Authority a licence in respect of such premises.

Bakers to be licensed

5. Such licence may be issued for any period not exceeding one calendar year and every licence shall expire on the 31st December in the year for which it was issued.

Duration of licence

(No. 190 of 1947)

6. A licence issued under these Regulations shall not be transferable from the holder thereof to any other person without the permission of the Local Authority, and no licence shall in any case be transferable from the premises in respect of which it is granted to any other premises.

Transfers

7. Any person desiring a licence shall send to the Local Authority a written application on a form to be obtained from the office of the Local Authority, and shall furnish all the information required by such form.

Application for licence

8. No licence shall be granted unless the Medical Officer of Health certifies in writing that the premises in respect of which such licence is desired comply with the regulations governing such premises and are suitable for the purposes for which they are intended to be used.

Medical Officer of Health to certify premises as suitable

9. The Local Authority may refuse to grant or renew any licence, or may grant such licence on such conditions as may be laid down. A breach of any conditions attached to any licence shall be deemed to be a breach of these Regulations.

Powers of Local Authority to make conditions



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10. The Medical Officer of Health, Health Inspector or any person authorised in writing by the Medical Officer of Health may at any time enter upon and inspect any premises used or suspected of being used as a bakery. In the course of such inspection, any such officer or person may examine any material, utensil and vessel which may be found on the premises, and the processes of manufacture employed, and may take samples of any material or ingredient used in any such processes, and, for the purposes of such inspection, may make any inquiry he deems necessary. Any person who, directly or indirectly, wilfully hinders, obstructs, resists or refuses information or gives false or misleading information to any such officer or person in the course of such inspection shall be deemed to have contravened these Regulations.

Right of entry

11. In every bakery licensed under these Regulations the following provisions shall be complied with:

Requirements of licensed premises

- (a) no portion of the bakery shall be underground;
- (b) the bakery shall be constructed of brick or other approved material, or, if constructed of iron, shall be brick-lined;
- (c) the walls shall be plastered with cement plaster and the surface brought up to a smooth face with an iron float;
- (d) the floor throughout shall be of cement concrete or other similar non-absorbent material;
- (e) the height of the walls from floor to ceiling shall not be less than 3.6576 metres;
- (f) an efficient dust-proof ceiling shall be constructed, and, in the case of a single storey building, the roof shall be a pitched roof;
- (g) the bakery shall be properly and effectively lit and ventilated in all parts;
- (h) the doors and windows shall be provided with effective fly screens of wire gauze of not less than 144 meshes to the square inch, and the said screens shall be maintained in a state of thorough repair;
- (i) no door or window opening into any bakery shall be so placed as to be less than 6.096 metres from any privy and from the door or window of any stable, nor shall it communicate by door or window or otherwise with a sleeping room;
- (j) the opening of the oven furnace shall be situated outside the bakery, and at least 1.8288 metres from the nearest part of any door or window of the bakery;
- (k) a dressing room shall be provided in which the overalls of the employees shall be kept in a clean and sanitary condition. Such room shall be separate from any place where bakery products or materials are handled or stored, and shall be furnished with the necessary lavatory accommodation for employees to wash themselves;
- (l) a proper and sufficient supply of pure water, free from risk of contamination, and proper and sufficient latrine accommodation, to the satisfaction of the Medical Officer of Health, shall be provided for all persons employed.



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12. Every person licensed under these Regulations shall-

Duties of licensee

- (a) at all times maintain his premises in a state of thorough cleanliness and ventilation;
- (b) cause all vessels and utensils, and all carts or other vehicles, sacks, baskets or other receptacles used in his business for the preparation, conveyance or storage of flour, bread, pastry, confectionery or any other article of food to be kept in a clean and wholesome state;
- (c) cause all the inside walls and ceilings of his premises to be either painted with three coats of oil or varnish or limewashed. Where oil or varnish is used, it shall be renewed at least once in every five years, and washed with hot water and soap at least once in every six months; where limewash is used, it shall be renewed at least once in every six months;
- (d) cause all persons employed on his premises in making, handling or selling any bakery product to be clean and dressed in clean white overalls made of washable material, while so employed;
- (e) maintain in the lavatory a sufficient supply of soap, nail brushes and clean towels for the use of his employees;
- (f) provide suitable means for protecting all bakery products by glazed or fly-screened show cases or cabinets from contamination by dust, dirt or flies while retained on the bakery premises, or by means of closed cases or vehicles when in the course of conveyance through the streets of the district of the Local Authority.

(As amended by Act No. 13 of 1937)

13. No person shall expectorate in or upon any part of any bakery, or upon any of the fittings, fixtures, utensils or appurtenances therein.

Expectorating prohibited

14. Every baker preparing or making any bakery products shall mix all dough, batter or paste to be used in the preparation or making of such bakery products in and by means of proper and suitable mixing machines, and any such baker who shall, either himself or by his servants, mix any dough, batter or paste by hand, or in any other way than in and by means of such mixing machines shall be deemed to have contravened this regulation:

Mixing machines

Provided that any person as aforesaid who shall mix any batter or paste of a quantity not exceeding 4.5 kilograms in weight when prepared in a proper and suitable mixing utensil and for confectionery purposes only shall not be deemed to have contravened this regulation.

15. No person employed or working in any bakery shall fail to wash his hands with soap and water before engaging in such work.

Every person to wash his hands before beginning work

16. No person licensed under these Regulations shall cause or permit any person (whether himself or another) suffering from any infectious or contagious disease to be employed in or about his premises or to handle in any way any bakery product or assist in its production.

Infectious persons not to be employed



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17. Every baker shall without delay inform the Medical Officer of Health of the occurrence of any infectious or contagious disease among any of the persons employed or residing on his premises, and shall comply with any directions the Medical Officer of Health or Health Inspector may give for the purpose of preventing the spread of such disease.

Notification of infectious disease

18. Any person licensed under these Regulations, and desiring to keep the premises in respect of which he is licensed as a tea room, coffee room, boarding-house or restaurant, shall be required to take out another licence under the regulations governing tea rooms, coffee rooms, boarding-houses or restaurants:

Tea rooms, etc., to be licensed separately

Provided that, in such case, one fee only, which shall be the higher of the two fees, shall be payable in respect of the two licenses.

19. Any person licensed under these Regulations shall be responsible for the due observance of these Regulations on the premises in respect of which he is licensed, and any breach thereof by any person in respect of any premises shall be deemed to be a breach by the licensee of such premises.

Responsibility of licensee for premises

20. A copy of these Regulations, which may be obtained on application to the office of the Local Authority, shall be fixed and maintained in some conspicuous place on all premises licensed under these Regulations.

Exhibition of Regulations

21. Any person guilty of an offence against or contravention of, or default in complying with, any of these Regulations shall be liable, on conviction, to a fine not exceeding seven hundred and fifty penalty units, and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which he shall make default:

Penalties

Provided that the court before which any such conviction may be obtained may, in addition to or in substitution for any of the aforesaid penalties, revoke or suspend any licence obtained under these Regulations.

(As amended by Act No. 13 of 1994)

REGULATION 2 OF THE PUBLIC HEALTH (SALE OF BAKERY PRODUCTS) REGULATIONS-APPLICATION

Notices by the Minister

The whole of the Regulations apply to-

City of Lusaka.(No. 47 of 1953)

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City of Kitwe.(No. 47 of 1953)

Bancroft Mine Township.(No. 312 of 1969)

Chingola Municipality.(No. 189 of 1946)

Chipata Township.(No. 19 of 1950)

**(4)Chisamba.(No. 291 of 1957)*

** A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.*

Choma Township.(No. 236 of 1951)

Kabwe Municipality.(No. 47 of 1953)

Kafue Township.(No. 163 of 1948)

Kalomo Township.(No. 45 of 1959)

**(5)Kapiri Mposhi.(No. 292 of 1957)*

** A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.*

Kasama Township.(No. 273 of 1959)

Livingstone Municipality.(No. 23 of 1936)

Luanshya Municipality.(No. 47 of 1953)

Mansa Township.(No. 20 of 1955)

Mazabuka Township.(No. 244 of 1969)

Mufulira Municipality.(No. 47 of 1953)

Pemba Township.(No. 163 of 1961)

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The whole of the Regulations, other than regulation 14, apply to-

Mbala Township.(No. 164 of 1963)

Mongu Township.(No. 104 of 1967)

Monze Township.(No. 50 of 1965)

*(6)Mumbwa.(No. 221 of 1958)

* A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

THE PUBLIC HEALTH (TEA ROOMS, RESTAURANTS,
BOARDING-HOUSES AND HOTELS) REGULATIONS

ARRANGEMENT OF REGULATIONS

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1. Title
2. Application of Regulations
3. Interpretation
4. Necessary permit
5. Duration of permit
6. Application for permit
7. Premises to be to the satisfaction of the Medical Officer of Health
8. Transfers
9. Requirements of premises
10. Duties of persons to whom permits have been issued
11. Expectorating prohibited
12. Right of entry
13. Infectious persons not to be employed
14. Notification of infectious disease
15. Responsibility of person to whom a permit has been granted
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17. Medical Officer of Health may exempt premises
18. Penalties

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SECTIONS 75 AND 82-THE PUBLIC HEALTH (TEA ROOMS, RESTAURANTS, BOARDING-HOUSES AND HOTELS) REGULATIONS

Regulations by the Minister

Government Notices
 14 of 1933
 12 of 1937
 329 of 1950
 172 of 1954
 214 of 1960
 250 of 1963
 291 of 1964
Act
 51 of 1963
 13 of 1994
Statutory Instrument
 112 of 1995

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <p>1. These Regulations may be cited as the Public Health (Tea Rooms, Restaurants, Boarding-houses and Hotels) Regulations.</p> | <p>Title</p> |
| <p>2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only such part of the district of any Local Authority as shall be defined in such notice.</p> <p style="text-align: right;"><i>(As amended by Act No. 291 of 1964)</i></p> | <p>Application of Regulations</p> |
| <p>3. In these Regulations, unless the context otherwise requires-</p> <p>"permit" means a permit granted under these Regulations;</p> <p>"restaurant" includes clubs which are registered under the Clubs' Registration Act and a tea room, hotel or boarding-house and means any premises where any article of food or drink is sold, or is prepared or cooked for sale, for consumption on the premises.</p> <p style="text-align: right;"><i>(As amended by Acts No. 12 of 1937, No. 329 of 1950, No. 172 of 1954, No. 250 of 1963 and No. 51 of 1963)</i></p> | <p>Interpretation</p> <p>Cap. 162</p> |
| <p>4. No person shall use any premises as a restaurant unless he shall first have obtained a permit from the Local Authority entitling him to use them as such.</p> <p style="text-align: right;"><i>(As amended by Act No. 329 of 1950)</i></p> | <p>Necessary permit</p> |
| <p>5. A permit may be issued for a period not exceeding one calendar year, and no permit shall continue in force beyond the 31st December in the year for which it was issued.</p> | <p>Duration of permit</p> |
| <p>6. Any person desiring a permit shall send to the Local Authority a written application on a form to be obtained from the office of the Local Authority, and shall furnish all the information required by such form.</p> <p style="text-align: right;"><i>(As amended by Act No. 329 of 1950)</i></p> | <p>Application for permit</p> |

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7. No permit shall be granted unless the Medical Officer of Health is satisfied that the premises in respect of which such permit is desired comply with the regulations governing such premises and are suitable for the purpose for which they are intended to be used. Premises to be to the satisfaction of the Medical Officer of Health

8. No permit shall be transferable from the premises in respect of which it is granted to any other premises. Transfers

9. In any premises for which a permit has been granted there shall be provided to the satisfaction of the Medical Officer of Health- Requirements of premises

- (a) proper and effectual lighting and ventilation for all parts thereof;
- (b) a proper and sufficient supply of pure water;
- (c) proper and sufficient accommodation and conveniences for the preparation, cooking and storage of any articles of food or drink kept therein;
- (d) satisfactory means for the washing of articles used in the business and effective means for the disposal of all liquid waste;
- (e) a sufficient number of closets and urinals, with separate accommodation for each sex, to the satisfaction of the Medical Officer of Health;
- (f) proper and sufficient ablution facilities for employees.

(As amended by Acts No. 329 of 1950 and No. 214 of 1960)

10. The person to whom a permit has been issued in respect of any premises shall, to the satisfaction of the Medical Officer of Health- Duties of persons to whom permits have been issued

- (a) keep his premises and all culinary utensils, linen, furniture and other articles therein used in the course of his business in a thoroughly clean state;
- (b) provide and sell only sound and wholesome food therein.

11. No person shall expectorate in or upon any part of any premises for which a permit has been granted or upon any of the fittings, fixtures, utensils or appurtenances used therein. Expectoring prohibited

12. The Medical Officer of Health, Health Inspector or any person duly authorised in writing by the Medical Officer of Health may at any time enter upon and inspect any premises used or suspected of being used as a restaurant. In the course of such inspection, any such officer or person may examine any material, utensil and vessel which may be found on the premises, and the processes of cooking employed, and may take samples of any material or ingredient used and, for the purpose of such inspection, may make any inquiry he deems necessary. Any person who, directly or indirectly, wilfully hinders, obstructs, resists or refuses information or gives false or misleading information to any such officer or person in the course of such inspection shall be deemed to have contravened these Regulations. Right of entry

(As amended by Act No. 329 of 1950)

13. No person to whom a permit has been granted shall cause or allow any person (whether himself or another) suffering from any infectious or contagious disease to be employed in or about his premises or to handle in any way any article exposed for sale or assist in its preparation. Infectious persons not to be employed



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14. Every person to whom a permit has been granted shall forthwith inform the Medical Officer of Health of the occurrence of any infectious or contagious disease among any of the persons employed or residing on his premises, and shall comply with any directions the Medical Officer of Health or Health Inspector may give for the purpose of preventing the spread of disease.

Notification of infectious disease

15. Any person to whom a permit has been granted shall be responsible for the due observance of these Regulations on the premises in respect of which the permit has been granted, and any breach thereof by any person in respect of any premises shall be deemed to be a breach by the person authorised in respect of such premises.

Responsibility of person to whom a permit has been granted

16. A copy of these Regulations, which may be obtained on application to the Medical Officer of Health, shall be fixed and maintained in some conspicuous place on all premises in respect of which a permit has been granted.

Exhibition of Regulations

17. Notwithstanding anything contained in these Regulations, the Local Authority, on the recommendation of the Medical Officer of Health, may exempt premises in any portion of its area of control from complying with any or all of these Regulations.

Medical Officer of Health may exempt premises

(No. 250 of 1963)

18. Any person guilty of an offence against or in contravention of, or default in complying with, any of these Regulations shall be liable, on conviction, to a fine not exceeding seven hundred and fifty penalty units, and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which he shall make default:

Penalties

Provided that the court before which any such conviction may be obtained may, in addition to or in substitution for any of the aforesaid penalties, revoke or suspend any permit.

(As amended by Act No. 13 of 1994)

REGULATION 2 OF THE PUBLIC HEALTH (TEA ROOMS, RESTAURANTS, BOARDING-HOUSES AND HOTELS) REGULATIONS-APPLICATION

Notices by the Minister

1. This Notice may be cited as the Public Health (Tea Rooms, Restaurants, Boarding-houses and Hotels) Regulations (Application) Notice, and shall come into operation on the 23rd day of July, 1975.

Title and commencement

2. It is hereby declared, that on and after the date of commencement of this Notice, the whole of the Public Health (Tea Rooms, Restaurants, Boarding-houses and Hotels) Regulations shall apply to the whole of every district of every Local Authority in the Republic.

Declaration of application of Regulations

(As amended by S.I. No. 112 of 1975)



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6. Plans and what they should show
7. Plans, etc., for erection of machinery
8. Grounds on which plans may be disapproved
9. Building line
10. Area to be covered by buildings
11. Period for commencement of erection
12. Period for completion of erection
13. Inspection of buildings
14. Permit required before occupation of new buildings
15. Permission to occupy portion of building
16. Stores and shops to be rendered rat-proof
17. Ruinous buildings: alteration or demolition
18. Hoardings
19. Doors and windows opening outwards
20. Building on offensive site
21. Height of building
22. Design and decoration to conform
23. Dwellings to have separate and independent access to a street
24. Basement and cellars
25. Foundations
26. Construction of footings to walls
27. Damp-proof course in walls
28. Floors
29. Party walls not to have any openings therein
30. Strength and materials of walls
31. Protection of walls from weather
32. Thickness of walls
33. Metal work to be approved and protected if required
34. Preserving of woodwork
35. Strength of beams
36. Bressummers
37. Loads on floors
38. Chimneys
39. Chimney shafts

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SCHEDULE-Prescribed forms

SECTIONS 75 AND 114-THE PUBLIC HEALTH (BUILDING) REGULATIONS

Regulations by the Minister

Government Notices
 173 of 1933
 110 of 1934
 24 of 1935
 75 of 1935
 14 of 1937
 253 of 1949
 330 of 1950
 153 of 1951
 305 of 1953
 170 of 1954
 254 of 1957
 16 of 1959
 353 of 1959
 291 of 1964
 497 of 1964
Act
 51 of 1963
Statutory Instrument
 357 of 1965

1. These Regulations may be cited as the Public Health (Building) Regulations.

Title

2. The Minister may, by statutory notice, apply all or any of these Regulations to any township, mine township or private township specified or to any area defined in the said notice, which may exempt from the operation thereof any area or buildings situated therein as the Minister may prescribe.

Application of Regulations

(As amended by Act No. 291 of 1964)

3. In these Regulations, unless the context otherwise requires-

Interpretation

"building line" means a line drawn across a plot beyond which no building or permanent structure, except a boundary wall of approved design, or a fence or the like enclosing the plot, may be erected or set up within the area contained between such line and the regular line of the street on which the plot has frontage;

"building of the warehouse class" means a warehouse, shop factory, manufactory, brewery or distillery and includes a store or godown;

"cement" means Portland cement complying in all respects with the British standard specification from time to time in operation;

"cement concrete" means concrete composed of cement incorporated with clean gravel and suitable stone or other clean and suitable material, mixed with a sufficient quantity of sharp sand or grit in the proportion by measure of at least one part of cement to eight parts of such other material;

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"cement mortar" means mortar composed of cement and clean sharp sand or grit or other clean and suitable material, mixed in the proportion by measure of not less than one part of cement to five parts of sand, grit or other suitable material;

"concrete" means-

- (a) cement concrete; or
- (b) concrete composed of good hydraulic lime thoroughly incorporated with clean gravel and suitable stone or other clean and suitable material, mixed with a sufficient quantity of sharp sand or grit in the proportion by measure of at least one part of lime to five parts of such other material;

"cross wall" means a wall used or constructed to be used in part of its height as an inner wall of a building for separation of one part from another part of the building, that building being wholly in, or being constructed or adapted to be wholly in, one occupation;

"domestic building" means a building used or constructed or adapted to be used in whole or in part for human habitation or a shop or an office or any combination thereof, or any other building not being a public building or a building of the warehouse class, but does not include a traditional hut;

"dwelling-house" means a building or any part or portion of a building used or constructed or adapted or designed to be used for human habitation as a separate tenancy or by one family only, whether detached, semi-detached, or built continuously in groups or terraces, or a tenement or flat or a building separated by party walls or by floors from adjoining buildings, together with such outbuildings as are reasonably required to be used or enjoyed therewith, but does not include a traditional hut;

"external wall" means an outer wall or vertical enclosure of a building, not being a party wall, even though adjoining a wall of another building;

"foundation", applied to a wall having footings, means the solid ground or artificially formed support on which the footing of a wall rests;

"internal open space" means a space which is surrounded or is liable to become surrounded with buildings or erections of any description, either wholly or to such an extent that the free passage of air throughout such space is or may be insufficiently provided for;

"lime mortar" means mortar composed of good lime of suitable quality and clean sharp sand or grit or other clean and suitable material, mixed in the proportion by measure of not less than one part of lime to three parts of grit or other suitable material;

"party wall" means-

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- (a) a wall forming part of a building and used or constructed to be used in any part of its height or length for the separation of adjoining buildings; or
- (b) a wall forming part of a building and standing in any part of its length, to a greater extent than the projection of the footings on one side, on ground of different owners;

"plot" means a piece of land shown as a plot on a general plan of a township or area filed in the office of the Surveyor-General;

"store" means a building which, according to the original application and plans therefor, is designed for the storage of foodstuffs or any other material;

"to erect a building" means-

- (a) to erect a new building;
- (b) to erect, re-erect, add to, alter or convert a building, or to cover an open space between walls and buildings;

"traditional hut" means any domestic building or dwelling-house to which the provisions of regulation 50 apply;

"width", applied to a street, means the whole extent of space reserved to be used or laid out so as to admit of being used as a public way.

(As amended by Acts No. 14 of 1937, No. 170 of 1954 and No. 51 of 1963)

4. (1) For the purposes of this regulation, "building owner" means an owner who proposes to erect or is erecting a building, the plans and specifications of which have been approved by the Local Authority.

Adjoining buildings- entry-underpinning and shoring

(2) Where a building owner proposes to erect a building in close proximity to any other building (such other building being the property of another owner) and it is necessary for him to excavate or dig out the ground against the wall of such other building, the building owner shall at his own cost shore up and underpin such wall to its full thickness and to the full depth of such excavation with proper and sufficient material in a workmanlike substantial manner. For the purpose of this sub-regulation, a building owner, his servants, agents or workmen may, at reasonable hours, enter on the premises of the owner of such other building. In any such case, the building owner shall pay compensation for any disturbance of business or for any damage or injury caused by such entry.



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(3) If, for the purpose of erecting a wall in close proximity to the existing wall of any other building as aforesaid, it be necessary to cut away any projection or part of such existing wall (such as footings, chimney breasts, chimney shafts or other projections beyond the vertical face of such existing wall), such projection or part being, in fact, an encroachment on the land of the building owner, the building owner may so cut away at the expiration of at least one week's written notice, which he shall give to the owner of such other building. The parts from which any such brick, stone or concrete work is so cut away shall be again made good in a workmanlike substantial manner; and the building owner shall use reasonable care in such cutting away and making good; but all such work shall be done at the cost and risk of the owner of such other building:

Provided that, if the owner of such other building shall, before the expiration of such notice, give to the building owner notice in writing that he desires to carry out such work of cutting away and making good, he shall be entitled to do so at his own cost, and may enter on the land of the building owner for that purpose; but, if such work be not completed by him within one month after such expiration, the building owner may proceed to do or complete the same as hereinbefore provided.

(4) Where, under this regulation, one person claims to recover the cost of work or to recover compensation from another person, the claimant shall, within fourteen days after completion of the work, serve upon such other person a written account of the cost (including the cost of all preliminary and incidental operations). Such account shall give detailed particulars of the class of work done, quantities and cost at current rates, and shall allow reductions for the value at current prices of such materials, the property of such other person, as have been won by excavation or by pulling down or cutting into any wall or projection.

5. (1) No person shall erect or begin to erect any building until he has-

Application prior to erection of building

- (a) Made an application to the Local Authority in Form 1 in the Schedule, to be obtained from the Local Authority;
- (b) Furnished the Local Authority with the drawings and other documents specified in the following regulations;
- (c) Obtained from the Local Authority a written permit, to be called a "building permit", to erect the building, together with a signed copy of the plan approved by the Local Authority, as hereinafter provided. Such permit shall be in Form 2 in the Schedule and shall be signed by the Local Authority or its authorised agent and shall entitle the holder to erect the building in accordance with such approved plan and subject to all conditions imposed by these Regulations. Any subsequent modification or alteration that it is proposed or necessary to make in such approved plan shall be submitted to the Local Authority for approval in the same manner as the original plan, and no such modification or alteration shall be made in the construction of the building until it has been approved by the Local Authority and the particulars thereof endorsed on the original building permit and signed plan.

(2) The person making application for the approval of plans and specifications shall lodge these Fees with a fee according to a scale fixed by the Local Authority and approved by the Minister.

(As amended by Act No. 291 of 1964)

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6. (1) Every person who intends to erect a building shall, except where otherwise provided, send or deliver to the Local Authority two copies of a plan of each floor and sections of each storey, floor and roof of the building and elevations drawn in a clear and intelligible manner, to a scale of not less than 2.54 centimetres to every 2.4384 metres. He shall show upon the plans, sections and elevations the following particulars:

Plans and what they should show

- (a) The position, form and dimensions of the foundations, walls, floors, roofs, rooms, chimneys, and the several parts of the building including outside kitchen, servants' quarters, stables, garages, etc., in such detail and to such an extent as may be necessary to show that the buildings comply with any of the regulations which apply to them;
- (b) The form and dimensions of any water closet, earth closet, privy or cesspool to be constructed in connection with the building;
- (c) The level of the site of the building and the level of the lowest floor of the building and the level of any street adjoining the curtilage of the building in relation to one another and above some known datum;
- (d) Any plans, drawings, documents or information that the Local Authority may require;
- (e) The truncation of any corner formed by the intersection of any street and the setting back or adaptation of the proposed building to conform with the requirements of these Regulations.

(2) He shall also send or deliver to the Local Authority copies of a block plan of the building drawn in a clear and intelligible manner to a scale not less than 2.54 centimetres to every 15.24 metres and showing-

- (a) The size and position of the building in its relation to the boundaries of the plot to be built upon and, so far as may be necessary to show compliance with any of the regulations which apply to the building, of the appurtenances of the properties immediately adjoining the building;
- (b) The position and width of any street, adjoining the curtilage of the building, so far as may be necessary to show compliance with any of the regulations which apply to the building;
- (c) The size and position of any yard or open space belonging to the building;
- (d) The position of any water closet, earth closet or privy, and of any cesspool and well in connection with the building;
- (e) The lines of drainage of the building and the size, depth and inclination of each drain and the means to be provided for the ventilation, inspection and cleansing of the drains;

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- (f) The position and level of the outfall of the drains and the position of any sewer with which the drainage is intended to be connected or, where no sewer is provided, the means to be adopted for the disposal of all liquid waste produced in the building:

Provided that the Local Authority may in its discretion in any particular case dispense with the submission of plans.

(As amended by Act No. 14 of 1937)

7. Every person who intends to erect any machinery shall satisfy the Local Authority that the foundations, supports, shafting, brackets, etc., are of sufficient strength to ensure the safety of the building, and that proper guards are provided for the protection of employees, and shall submit plans and a description thereof to the satisfaction of the Local Authority.

Plans, etc., for erection of machinery

8. (1) The Local Authority may disapprove of plans or applications to erect a building or machinery on any of the following grounds:

Grounds on which plans may be disapproved

- (a) That they show a contravention of these Regulations or of any rules or regulations for the time being in force in the township;
- (b) That the system of drainage of the proposed building or of the plot or sub-plot upon which the building is to stand is not, in the opinion of the Local Authority, satisfactory;
- (c) That sufficient facilities for access of sanitary carts are not, in the opinion of the Local Authority, provided;
- (d) That, in the case of a building to be erected on a plot on which a building or buildings already stand, no scheme of plot subdivision has been sanctioned by the Government, or that such building is not in conformity with a scheme of plot subdivision which has been so sanctioned;
- (e) That latrine accommodation and, where considered necessary by the Local Authority, servants' accommodation are not adequately provided for;
- (f) That the site upon which it is proposed to build is, in the opinion of the Medical Officer of Health, or, if no such officer is available, of the Local Authority, unfit for human habitation;
- (g) That they do not adequately provide for the strength and stability of the building, nor for the sanitary requirements thereof;
- (h) That the site of any of the proposed buildings on the plans is such that the erection of such buildings would contravene or render abortive any town planning scheme or proposed town planning scheme for the township;

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(i) That the plan is not accompanied by an undertaking in writing by the person submitting such plan that the building operations will be supervised by a qualified architect or other competent person approved by the Local Authority so as to ensure that the building complies with the plan.

(2) In any case where the Local Authority is satisfied that any building, though the plan thereof is not open to disapproval on any of the grounds specified in this regulation, is nevertheless likely to become objectionable, the Local Authority may withhold approval of such plan.

Special circumstances in which the Local Authority may withhold approval of plans

(3) If, within thirty days of the receipt of any plans or application or further particulars delivered in accordance with these Regulations, the Local Authority shall fail to intimate to the person submitting such plans its disapproval or the fact that it has not yet approved of the building or work which the said person intends to erect, the person submitting the plans may proceed with such building or work in accordance with the plans, but not so far as to contravene any other of the provisions of these Regulations.

In certain circumstances work may be commenced before plans have been approved

(4) All plans and drawings shall be furnished in duplicate and shall be of a quality approved by the Local Authority. Both sets shall be signed on every sheet by the person intending to erect the building, or his agents, and the architect. On the plans being approved, one set shall be returned to the applicant and the other retained by the Local Authority and become its property.

Quality and signature of plans

(5) In the event of any person failing to comply with an undertaking given by him in accordance with sub-regulation (1) (i), the Local Authority may arrange for the necessary supervision for which there shall be payable by such person to the Local Authority a fee not exceeding 2 per centum of the cost of the building erected.

(As amended by Acts No. 110 of 1934, No. 24 of 1935 and No. 153 of 1951)

9. (1) The building line, when fixed by the Local Authority in relation to any street or part thereof, shall be marked upon a plan, or clearly described in a resolution of the Local Authority; and such plan or resolution shall be open for inspection by the public free of charge during the office hours of the Local Authority.

Building line

(2) Alteration may be made by the Local Authority where the levels or depth of the allotment or other exceptional conditions of a site or the nature of a building make it necessary or expedient to alter the building line in respect of any part of the building or buildings.

*(7)10. (1) Public buildings, buildings of the warehouse class and domestic buildings, not used, adapted or designed as dwelling-houses, shall not be so erected that more than two-thirds of such plot on which each building stands or is to stand shall be built over:

Area to be covered by buildings

* Certain plots in the City of Kitwe were exempted, on conditions, from the provisions of this regulation by G.N. Nos. 130 and 246 of 1948.

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Provided that the space to be left on which no buildings shall be built shall in no case be less than 27.87 square metres in area and that the minimum distance across the open space shall not be less than 3.6576 metres.

(2) Buildings used or adapted or designed to be used as dwelling-houses shall not be so erected that more than one-half of such plot on which each building stands or is to stand shall be built over. In the case of dwelling-houses appearing, in the opinion of the Local Authority, to be erected, adapted or designed to be used entirely as hotels or clubs, sub-regulation (1) only shall apply:

Provided that the provisions of this regulation may be varied by the Local Authority, subject to the area of any such building complying with any condition the Local Authority may impose and the Director of Medical Services being satisfied that public health will not be prejudiced.

(As amended by Acts No. 253 of 1949, No. 170 of 1954 and No. 51 of 1963)

11. The person to whom the Local Authority has granted a permit to erect any building shall commence the same within six calendar months of the date of such permit; should he fail to do so, the said permit shall be deemed to have lapsed as if the same had not been given.

Period for commencement of erection

12. If the work for which a permit has been granted be not completed within twelve months of the granting of such permit, the Local Authority may give notice in writing to the person concerned therein that, unless the building is completed by a date to be specified in such notice, the permit given shall be deemed to have lapsed:

Period for completion of erection

Provided that nothing in this regulation shall prevent any person affected thereunder from making a fresh application for a permit as prescribed by these Regulations.

*Certain plots in the City of Kitwe were exempted, on conditions, from the provisions of this regulation by G.N. Nos. 130 and 246 of 1948.

13. (1) The Local Authority or its authorised officers, the Medical Officer of Health and Health Inspector shall have power to inspect any building in course of erection or completion, and, if any portion or detail thereof shall be found not to comply with any of these Regulations, may, by written notice, require the person erecting the building to make, within a time to be specified in such notice, such alteration as may be necessary to comply with these Regulations, and any failure to comply with such notice shall be deemed a breach of this regulation.

Inspection of buildings



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(2) If any person erects or begins to erect any building without having obtained the permit required by these Regulations, or, in the erection of any building, contravenes any of the provisions of these Regulations, or, having obtained a permit, constructs the building in part or in whole according to a plan which has not been approved by the Local Authority, or fails to comply with any notice served upon him in pursuance of sub-regulation (1), the Local Authority may, in addition to any other proceedings that may be taken for a breach of these Regulations, require, by written notice, such person to demolish and remove such building or any part thereof or to make such alteration in such building as it may prescribe within a time to be specified in the said notice. Further, in the same or another notice, the Local Authority may notify such person that, if such requirement is not complied with within the specified time, the Local Authority will itself enter upon the premises and carry out such demolition, removal or alteration. If such requirement is not complied with, the Local Authority may act in accordance with the terms of such notice and may recover all costs and expenses incurred by it in that behalf from the person who has failed to comply with such requirement.

14. (1) The applicant or his authorised agent shall give notice in writing to the Local Authority when the building is completed, and no person shall occupy or suffer to be occupied any new building until such building has been certified by the Local Authority and, where available, by a Medical Officer of Health to be, in their opinion, in every respect fit for occupation, or, in the case of a domestic building or dwelling-house, fit for human habitation.

Permit required before occupation of new buildings

(2) The Local Authority shall cause an inspection of the building to be made within forty-eight hours from the date of completion.

15. Where a Local Authority is satisfied that it is not unreasonable to occupy a portion of any building before the completion of the whole building, and, where available, a Medical Officer of Health agrees to such occupation, the Local Authority may authorise the granting of a certificate for the occupation of such portion only.

Permission to occupy portion of building

(No. 16 of 1959)

16. Every person who erects a new building which includes a shop or store used or intended to be used for business purposes and for containing or storing grain, forage or other foodstuffs, hides, material or articles likely to attract or harbour rats or mice shall erect such shop or store so as to be as rat-proof as possible and to the satisfaction of a Medical Officer of Health or, where such officer is not available, of the Local Authority.

Stores and shops to be rendered rat-proof

17. (1) When any building or part thereof has, in the opinion of the Local Authority or a Medical Officer of Health, become ruinous or dilapidated, or unfit for use or occupation, or is, from neglect or otherwise, in a condition prejudicial to the public health or safety, the Local Authority or Medical Officer of Health may, by notice to be served upon the owner, or, if the owner cannot be found or is not in Zambia, upon the occupier (if any), or, if there is no occupier and the owner cannot be found or is not in Zambia, by affixing such notice upon the premises, require such owner or occupier to make, within a reasonable time to be specified in the notice, such alterations or repairs as the Local Authority or Medical Officer of Health may consider necessary and, until such alteration or repairs are carried out, may prohibit the use of such building or part thereof for any specified purpose and, if, in the opinion of the Local Authority or Medical Officer of Health, such building or part thereof ought to be demolished or removed, the Local Authority or Medical Officer of Health may give notice accordingly in the manner aforesaid.

Ruinous buildings: alteration or demolition



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(2) The failure of the owner or occupier to carry out any such order shall be deemed a breach of this regulation and, in addition to any other proceedings that may be taken, the Local Authority may, and, if required by the Medical Officer of Health in writing, shall enter upon the premises and make such alterations or repairs or demolish or remove the building or part thereof, as the case may be, and may recover the cost thereof from the owner or occupier:

Provided that any person upon whom such notice requiring demolition, removal, repairs or alterations is served may, prior to the expiration of the time therein specified, apply to any magistrate for a summons calling upon the Local Authority or Medical Officer of Health to show cause why the said notice should not be rescinded or varied, and, upon the hearing of the said summons, the magistrate may confirm, rescind or vary the said notice.

18. (1) No hoardings shall be erected in any street or on any land except with the written permission of the Local Authority and then only under such conditions as to erection or removal thereof as it shall allow.

Hoardings

(2) No part of, or fixture attached to, any building abutting on a street shall overhang or project into such street:

Provided that the Local Authority may permit, on such terms as in each case it may think fit, the owner or occupier of any building abutting on a street to erect or put up a hanging sign, balcony, verandah, sunshade or other structure projecting from any upper storey over any street or portion thereof.

19. The Local Authority may at any time, by written notice, require the owner of any premises on the ground floor of which any door, gate, bar, window or other structure opens towards or upon a street or upon any land required for the improvement of a street, in such manner as, in the opinion of the Local Authority, to obstruct the safe or convenient passage of the public along such street, to have the said door, gate, bar, window or other structure altered so as not to open outwards.

Doors and windows opening outwards

20. No new building shall be erected on any site which has been filled up by or has been used as a place for the deposit of excremental matter or the carcasses of dead animals or other filthy or offensive matter, until such matter shall have been properly removed or otherwise dealt with to the satisfaction of the Local Authority and a Medical Officer of Health, either of whom may require the whole of any site to be covered with a layer of concrete or other impermeable material. Where, on the site of a building, there is any made-up ground or other unsuitable soil, the walls of such building shall rest upon a layer of concrete of sufficient dimensions to support it, and, when considered necessary by the Local Authority, the whole site of the building shall be covered with concrete.

Building on offensive site

21. (1) No building which abuts on a street-

Height of building

(a) more than 18.288 metres wide shall be built so that any portion of it projects above an imaginary line drawn towards it at a vertical angle of 60 degrees from the opposite side of such street;



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- (b) less than 18.288 metres wide shall be built so that any portion of it projects above an imaginary line drawn towards it at a vertical angle of 70 degrees from the opposite side of such street.

(2) Every person who erects a new building shall erect the same only in such position on the site of the plot as to be in general conformity with such adjacent or contiguous buildings as the Local Authority may direct and any street or building line laid down or to be laid down by the Government or Local Authority. He shall also erect such new building to a design or plan not inferior to the general class and character of such buildings as the Local Authority may direct in the same neighbourhood within which such new building is proposed to be erected; and, further, he shall erect such new building to a level suitable to the land upon which such new building is proposed to be erected, having regard to the levels of any existing or proposed street or road and the levels of existing buildings.

Conformity with adjacent buildings and with building line

(As amended by Act No. 353 of 1959)

22. If the facing material or decoration shown on the drawings or used in any building in course of erection is, in the opinion of the Local Authority, of such quality or design as to appear aesthetically unsuitable, the Local Authority shall have power, subject to appeal to the Minister, to call upon the owner to amend, alter or substitute such facing material or decoration in such manner as will be compatible with other facing material or decoration in the township in which the building is situated.

Design and decoration to conform

(As amended by Act No. 291 of 1964)

23. No person shall erect a building intended, adapted or designed to be used wholly or partially for human habitation so that any portion thereof which constitutes a dwelling-house shall be without a separate and independent lane or passage.

Dwellings to have separate and independent access to a street

24. (1) No dwelling-house shall contain any basement or cellar or any room or part of a room below ground floor level without the sanction of the Local Authority, which may be granted subject to such conditions as the Local Authority may think fit.

Basement and cellars

(2) For the purpose of this regulation, "basement" means a storey or portion of a storey, partly below ground level, the ceiling of which is not less than 1.524 metres above the adjoining ground (irrespective of any excavation made to comply with these Regulations), and "cellar" means a storey or portion of a storey, below ground level, the ceiling of which is less than 1.524 metres above the adjoining ground.

25. Every person who erects a new building shall construct every wall or pier of the building so as to rest upon solid undisturbed rock or upon proper footings or, if the thickness of the wall does not exceed 9 inches (exclusive of any cavity in a wall constructed as a hollow wall), upon a layer of good cement concrete of sufficient width and thickness laid on the solid ground, or upon a sufficient bressummer, or upon some other solid and sufficient substructure as a foundation.

Foundations



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26. Every person who erects a new building and so constructs any wall or pier as to rest upon footings shall- Construction of footings to walls

- (a) Cause such footings to rest upon solid undisturbed rock or upon good concrete of sufficient width and thickness, or upon some other solid and sufficient substructure, as a foundation;
- (b) Cause the projection at the widest part of the footings of a wall, on each side thereof, to be at least equal to one-half of the thickness of the wall at its base, unless an adjoining wall or pier interferes, in which case the projection may be omitted;
- (c) Cause the diminution of the footings to be in regular offsets, or in one offset at the top of the footings, and the height from the bottom of the footings to the base of the wall to be at least equal to two-thirds of the thickness of the wall at its base;
- (d) Cause the footings of a pier on every side thereof to be constructed in accordance with the regulations applicable to the footings of the wall comprising the pier.

27. Every person who erects a new public building, or a new domestic building, or a new building of the warehouse class in which it is intended to employ any person in any manufacture, trade or business, shall cause every wall (including any pier forming part of a wall) of the building to have an effective damp-proof course of sheet lead, asphalt or vitrified stoneware, or a double course of impervious slates or blue bricks laid to break joint and bedded in cement mortar, or of other not less durable material impervious to moisture, beneath the level of the lowest timbers, and, where there is a solid floor, not higher than the upper surface of the concrete or other similar solid material forming the structure of the floor, and, in any case, at a height of not less than 15.24 centimetres above the surface of the ground adjoining the wall or pier. Damp-proof course in walls

28. Floors may be made of concrete, stone, good sound burnt brick, wood or other material approved by the Local Authority: Floors

Provided that, in the case of wooden floors on the ground floor of a building, the Local Authority may require the concreting of the ground underneath and the rat-proofing or mosquito-proofing of any space between the floors and the ground.

29. (1) A party wall shall not have any openings in such part thereof as shall be within the roof nor, except with the written consent of the Local Authority, in any other part. Party walls not to have any openings therein

(2) A person who erects a new building shall not place in any party wall of the building any wooden bressummer, beam, joist, purlin or plate or any bond timber, and shall not construct the roof of the building so that any timber or woodwork extends upon or across any party wall thereof: Inflammable materials

Provided that-

- (i) laths and tile or slate battens properly embedded in good cement, in good cement or lime mortar, or in other equally incombustible material, may extend upon or across a party wall;

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- (ii) the end of any wooden bressummer, beam, joist, purlin or plate or any bond timber may be placed in a party wall, if it does not extend beyond the centre line of the party wall and is either encased in brickwork or other solid and incombustible material not less than 10.16 centimetres in thickness, or has every part which is placed in the party wall properly encased in an iron beam box with a solid back.

(As amended by Act No. 14 of 1937)

30. Every wall shall be of sufficient strength and shall be constructed in such a manner and of such materials as the Local Authority may approve. Strength and materials of walls

31. Every wall built of concrete, concrete block, stone, good sound burnt brick or other similar material shall be properly bonded and solidly put together with mortar, and all return walls and partition walls shall be properly bonded to the walls adjoining them. Where the top of the wall is exposed to weather, it shall be properly protected so as to prevent the access of damp or water to the wall. Protection of walls from weather

32. (1) All external and party walls of domestic buildings or dwelling-houses which are built of good sound hard bricks, or of blocks of hard incombustible material, laid in cement or lime mortar, shall generally be of not less than the following thickness: Thickness of walls

| Exceeds in height (metres) | Does not exceed in height (metres) | Exceeds in length (metres) | Does not exceed in length (metres) | Thickness (centimetres) |
|----------------------------|------------------------------------|----------------------------|------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| - | 4.522 | - | - | 22.86 for the whole of its height. |
| 4.572 | 7.62 | - | 9.144 | 22.86 for the whole of its height. |
| | | 9.144 | 13.716 | 34.29 in the lowest storey; 22.86 for the rest of its height. |
| | | - | 7.62 | 22.86 for the whole of its height. |
| | | 7.62 | 10.668 | 34.29 in the lowest storey; 22.86 for the rest of its height. |
| 7.62 | 9.144 | 10.668 | 13.716 | 34.29 in the lowest and the next storey; 22.86 for the rest of its height. |
| | | - | 10.668 | 34.29 in the lowest and next storey. |
| 9.144 | 12.192 | 10.668 | 13.716 | 45.72 in the lowest storey, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. |
| | | - | 9.144 | 45.72 up to the floor of the topmost storey; 22.86 for the rest of its height. |
| | | 9.144 | 10.668 | 45.72 in the lowest storey, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. |
| 12.192 | 15.24 | 10.668 | 13.716 | 45.72 in the lowest storey, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. |
| | | | 9.144 | 45.72 in the lowest storey, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. |

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| Exceeds in height (metres) | Does not exceed in height (metres) | Exceeds in length (metres) | Does not exceed in length (metres) | Thickness (centimetres) |
|----------------------------|------------------------------------|----------------------------|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 15.24 | 18.288 | { 9.144 10.668 | { 10.668 13.716 | 45.72 in the lowest and next storey, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. 45.72 in the lowest storey; 34.29 for the rest of its height. |
| 18.288 | 21.336 | { 9.144 10.668 | { 10.668 13.716 | 57.15 in the lowest storey; 45.72 in the next two storeys, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. 57.15 in the lowest storey; 45.72 in the next two storeys; 34.29 for the rest of its height. |
| 21.336 | 24.384 | { 9.144 10.668 | { 9.144 10.668 13.716 | 57.15 in the lowest storey; 45.72 in the next two storeys, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. 57.15 in the lowest storey; 45.72 in the next 3 storeys, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. 57.15 in the lowest storey; 45.72 in the next 3 storeys; 34.29 for the rest of its height. |
| 24.384 | 27.432 | { 9.144 10.668 | { 9.144 10.668 13.716 | 68.58 in the lowest storey; 57.15 in the next storey; 45.72 in the next two storeys; 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. 68.58 in the lowest storey; 57.15 in the next storey; 45.72 in the next 3 storeys; 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. 68.58 in the lowest storey; 57.15 in the next storey; 45.72 in the next 3 storeys; 34.29 for the rest of its height. |
| 27.432 | 30.48 | { 9.144 10.668 | { 9.144 10.668 13.716 | 68.58 in the lowest storey; 57.15 in the next 2 storeys; 45.72 in the next 2 storeys, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. 68.58 in the lowest storey; 57.15 in the next 2 storeys; 45.72 in the next 3 storeys, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height. 68.58 in the lowest storey; 57.15 in the next 2 storeys; 45.72 in the next 3 storeys; 34.29 for the rest of its height. |

(2) In the case of buildings other than domestic buildings and dwelling-houses, the walls shall generally be of not less than the following thicknesses:

| Exceeds in height (metres) | Does not exceed in height (metres) | Exceeds in length (metres) | Does not exceed in length (metres) | Thickness at base (centimetres) |
|----------------------------|------------------------------------|----------------------------|------------------------------------|---------------------------------|
|----------------------------|------------------------------------|----------------------------|------------------------------------|---------------------------------|

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| | | | | |
|--------|--------|---|--------|-------|
| - | 6.096 | - | - | 34.29 |
| 6.096 | 9.144 | { | 18.288 | 34.29 |
| 9.144 | 12.192 | { | 18.288 | 45.72 |
| 12.192 | 18.288 | { | 18.288 | 45.72 |
| 18.288 | 24.384 | - | - | 57.15 |
| 24.384 | 30.48 | - | - | 57.15 |
| | | | | 68.56 |
| | | | | 80.01 |
| | | | | 91.44 |

(3) For the purposes of this regulation, "top storey" means the topmost 3.6576 metres of any wall, and no wall of any top storey shall exceed 3.6576 metres in height. Top storey

(4) The thickness of a cross wall shall be not less than two-thirds of that required for an external party wall. Cross walls

(5) An internal partition wall built in brick which extends through one storey only, if it carries no load, may be built not less than 11.43 centimetres in thickness in brick or dressed stone. Such a wall shall not be deemed to be a cross wall. This sub-regulation does not apply to recesses in walls. Partition walls

(6) The length of a wall shall be deemed to be its length between cross walls or buttresses. For the purposes of this regulation, a wall shall not be deemed a cross wall unless it be carried up to the top of the topmost storey, and unless in each storey the aggregate extent of the vertical faces or elevation of all openings therein taken together shall not exceed one-half of the whole extent of the vertical face of the wall in such storey, except such wall be sufficiently strengthened as provided in sub-regulation (7). Definition of cross walls

(7) If any openings or recesses are left or made in a wall to an extent greater than one-half of the superficial area of the wall of any storey, or if any openings or recesses are left or made which extend into two or more storeys, the wall shall be strengthened to the satisfaction of the Local Authority by sufficient pilasters, buttresses or counterforts or otherwise. For the purpose of this sub-regulation, a recess includes any part of a wall which is of less than the thickness prescribed for a wall of that description. Openings in cross walls

(8) Where concrete blocks are used in the construction of the walls of a building, they shall conform with the following standards: Concrete blocks

(a) The minimum strength of concrete used for their manufacture shall be: cement, one part; sand, three parts; stone, six parts;

(b) Hollow blocks shall not be used under a concentrated load, but solid blocks or a solid pier shall be substituted.

(9) The thickness of the walls built of masonry other than ashlar shall be one-third greater than the dimensions given above for brick walls, but in no case shall be less than 22.86 centimetres thick. Stone walls



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(10) Any internal cross wall not supporting roof or floor beams or other load may be thinner to the extent of one-fourth than the thickness prescribed in the foregoing table. Internal cross walls without load

(11) The height of a storey other than a top storey shall be measured from the level of the upper surface of the floor to the level of the upper surface of the floor next above it, or, in the case of one-storeyed buildings or of the top storey of a building, to the underside of the tie of the roof or other covering, or, if there be no tie, then up to the level of half the vertical height of the rafters or other support of the roof. Height of walls

(12) In the case of the erection of buildings of steel framework or reinforced concrete or the making of any addition or alteration to such buildings, and where the dead loads and superimposed loads of, in or upon a building are transmitted to the foundations by a series of steel stanchions or reinforced concrete pillars, beams, arches or other suitable construction, any enclosing walls of concrete or other suitable material between such pillars may be of any thickness not less than 10.16 centimetres: Steel frame and reinforced concrete buildings

Provided that such enclosing walls are designed and constructed, to the satisfaction of the Local Authority, to resist any loads and pressures they may have to carry.

(13) The Local Authority may, with the approval of the Minister, accept thicknesses of walls other than those stated in sub-regulations (1) and (2) if, in its opinion, such other thicknesses will provide reasonable stability.

(As amended by Acts No. 305 of 1953 and No. 291 of 1964)

33. All steel, iron or other metal work used in the construction of a building shall, in respect of strength and other qualities, be approved by the Local Authority. Where required by the Local Authority, all such metal shall be surrounded and suitably protected against fire by cement or other fire-proofing material at least 2.54 centimetres thick. Metal work to be approved and protected if required

34. All timber and woodwork shall be properly protected from the attacks of insects, when necessary in the opinion of the Local Authority. Preserving of woodwork

35. (1) Every beam shall be of sufficient strength and shall have a sufficient bearing at each end arranged so that the load is properly transmitted to the supports. Strength of beams

(2) Wooden lintels shall have a depth of at least three-quarters of a centremetre for every metre of span of opening with a minimum of 7.62 centimetres. In all spans of 1.2192 metres or over, relieving arches or concrete lintels shall be inserted.

36. (1) Every person who erects a new building shall cause every bressummer to be borne by a sufficient template of stone, iron, concrete, terracotta or vitrified stoneware of the full breadth of the bressummer, and to have a bearing in the direction of its length of 10.16 centimetres at least at each end. Bressumers

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(2) He shall also, if necessary, cause the bressummers to have such storey posts, iron columns, stanchions, or pins of brick, stone or other equally suitable material on a solid foundation under the same, as may be sufficient to carry the superstructure.

37. (1) Every person who erects a new building for any of the purposes enumerated in the first column of the table appended to this regulation shall make the structure of every floor of such building of sufficient strength and stability to carry safely, in addition to the weight of the floor itself and any other part of the structure of such building supported by such floor, the corresponding dead load in the second column of the said table: Loads on floors

Provided that a deduction up to 20 per centum of the specified loads may be sanctioned if the Local Authority is satisfied as to the excellence of the design and of the material and workmanship to be employed in construction. This proviso does not apply to floors subject to rhythmic vibration.

| Column 1 For floor intended to be used wholly or partially for the purpose of | Column 2 Dead load, kilograms per 0.0929 square metre |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------|
| Attics in dwelling-house | 22.5 |
| Artisan's dwelling-house | |
| Domestic purpose | 31.5 |
| Human habitation | |
| Private dwelling-house | |
| Common lodging-house bedrooms | 37.8 |
| Hotel bedrooms | |
| Hospital and other wards | |
| Counting house | 45.0 |
| Offices | |
| Other similar purposes | |
| Art galleries | |
| Places of public worship | |
| Concert rooms | |
| Lecture rooms | 50.4 |
| Library reading-rooms | |
| Meeting halls | |
| Music halls | |
| Public assembly (fixed seats) | |
| Theatres | |
| Workshops (light loads) | |
| Retail shops (light goods) | 67.5 |
| Ballrooms | |
| Drill rooms | |
| Similar floors subject to vibration | |
| Factories (medium loads) | 90.0 |
| Retail shops (heavy loads) | |
| Book stores at libraries | |
| Museums | 100.8 |
| Warehouses | |

| Column 1 For floor intended to be used wholly or partially for the purpose of | Column 2 Dead load, kilograms per 0.0929 square metre |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------|
| Attics in dwelling-house | 22.5 |

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| | | |
|---------------------------------------------|----------------------------------------------------------------------|----------------------------------------------|
| Artisan's dwelling house | } | 31.5 |
| Domestic purpose | | |
| Human habitation | | |
| Private dwelling-house | | |
| Common lodging-house bedrooms | } | 37.8 |
| Hotel bedrooms | | |
| Hospital and other wards | } | 45.0 |
| Counting house | | |
| Offices | | |
| Other similar purposes | | |
| Art galleries | } | 50.4 |
| Places of public worship | | |
| Concert rooms | | |
| Lecture rooms | | |
| Library reading rooms | | |
| Meeting halls | | |
| Music halls | | |
| Public assembly (fixed seats) | | |
| Theatres | } | 67.5 |
| Workshops (light loads) | | |
| Retail shops (light goods) | | |
| Ballrooms | | |
| Drill rooms | | |
| Similar floors subject to vibration | | |
| | Column 1 | Column 2 |
| | For floor intended to be used wholly or partially for the purpose of | Dead load, kilograms per 0.0929 square metre |
| Factories (medium loads) | } | 90.0 |
| Retail shops (heavy loads) | | |
| Book stores at libraries | } | 100.8 |
| Museums | | |
| Warehouses | | |

(2) Every other floor shall be constructed of sufficient strength and stability to the satisfaction of the Local Authority.



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38. (1) In all cases where smoke or hot air is generated adequate provision shall be made for conveying such to 0.3048 metres above the ridge of the building in which the smoke or hot air is generated, except in the case of the proposed chimney or shaft being less than 6.096 metres away from an existing building. In such case, the chimney must be carried up to 0.3048 metres above the level of the ridge of such existing building.

Chimneys

(2) In the event of the owner of an existing building, referred to in sub-regulation (1), proposing to increase the height of such building, the onus of increasing the height of the chimney or shaft referred to in the said sub-regulation will fall on such owner.

39. No chimney shaft, boiler, hot water or steam installation shall be erected without the written consent of the Local Authority and such detail, etc., shall be supplied as the Local Authority may require.

Chimney shafts

40. (1) Every building intended to be used as a dwelling-house or as a place of habitual occupation for any person shall be so constructed that at least so much of the walls of every room as is equal to one-fifth of the perimeter thereof shall either be an external wall or abut on an internal space open to the sky.

External walls of buildings

(2) The width of such internal open space shall, measured in any direction, be equal to the height of the wall of the room it abuts on measured from the floor level to the highest part of such room, with a minimum of 3.048 metres.

Internal open space

(3) Every external wall of a building, built in conformity with sub-regulation (1), shall have between it and the boundary line of the adjacent plot an open space extending throughout the entire length of such wall, at least 3.048 metres wide; save that, in cases where a sanitary lane adjoins the boundary of a plot, servants' quarters and latrines may be built up to such boundary, if such quarters do not open on to the sanitary lane, and the floor level of any such latrine is not less than 0.3048 metres above the ground level, and satisfactory provision is made for the drainage of all liquid waste from such latrine:

Space between buildings and boundary of plot

Provided that in the case of existing semi-detached or terrace housing built on a single plot where external walls would, after any proposed division of the plot, be less than 3.048 metres from the proposed party boundary, the Local Authority may in its discretion exempt each unit of housing from the provisions of this sub-regulation and may in its discretion attach conditions to such exemption.

(4) No building shall be erected in such a manner as, in the opinion of the Local Authority, to block out light or ventilation from another building.

(5) Every open space, whether exterior or interior, required by this regulation shall be kept free from any erection thereon and open to the sky, and shall be kept open to access.

(As amended by Act No. 353 of 1959)

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41. (1) No building shall, unless with the written permission of the Local Authority, be so erected as to have a frontage upon a sanitary lane or passage. Frontage on sanitary lane or passage

(2) The Local Authority shall have power in every case to determine whether any street is a sanitary lane or passage, and its decision shall be final: Local Authority has power to determine sanitary lanes and passages

Provided that no street measuring more than 9.144 metres in width shall in any circumstances be deemed to be a sanitary lane or passage.

(As amended by Act No. 75 of 1935)

42. Every habitable room in any new building shall have a floor area of not less than 8.361 square metres and no horizontal dimension shall be less than 2.1336 metres: Area of habitable rooms

Provided that-

- (i) every habitable room in a building shall have a minimum average height from floor to ceiling of at least 2.5908 metres with a minimum height of 2.4384 metres from the floor to the point of junction of the ceiling with the wall;
- (ii) the provisions of proviso (i) shall not apply to any habitable room which is wholly or partly in a roof of a building; such room shall be at least 2.4384 metres in height from floor to ceiling over an area of 75 per centum of the floor area of the room measured at 1.8288 metres above floor level;
- (iii) with the approval of the Local Authority, kitchenettes, sculleries and laundries may have a smaller area than 8.361 square metres.

(No. 357 of 1965)

43. (1) Every person who erects a domestic building shall construct in every habitable room, hall or enclosed area of such building one window, at the least, opening directly into the open air. Such person shall cause the total area of such window or, if there be more than one, of the several windows, clear of the frames, to have an area equal to at least one-tenth of the superficial floor area of such room, hall or other enclosed area, with an increase in such window area, if any window be placed under a verandah, of 11/2 per centum of floor area for each 0.3048 metres of width of verandah over 1.524 metres. Such person shall also construct every such window so that one-half, at the least, may be opened, and so that the opening may extend in every case to the top of the window. Area and situation of windows in domestic buildings and dwellings

(2) Every person who erects a domestic building shall cause every habitable room and every passage of such building to be properly and efficiently cross-ventilated. Ventilation openings

(3) Notwithstanding the requirements specified in this regulation, the Local Authority may permit, in connection only with buildings other than dwellings, alternative approved mechanical lighting and ventilation facilities.

(As amended by Acts No. 330 of 1950 and No. 254 of 1957)



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44. (1) Every person who erects a new public building shall cause such building, to the satisfaction of the Local Authority, to be efficiently cross-ventilated by means of windows or fanlights or air bricks or tubes distributed around the building in such positions and in such a manner as to secure effective changes of air, and arranged so as to communicate directly with the external air.

Ventilation of public buildings

(2) Every person who erects a new building of the warehouse class shall cause such building to be provided with proper and efficient lighting by means of glazed windows, and with proper, adequate and efficient means of cross-ventilation, to the satisfaction of the Local Authority.

Ventilation and lighting of buildings of the warehouse class

45. The owner of any plot shall make adequate provision, to the satisfaction of a Medical Officer of Health, for the satisfactory carriage and disposal of all rain-water, surface water, waste water or sewage from the plot or from any building thereon, and for this purpose the Local Authority may require such owner to make such connection with the main drainage system of the township as it may think fit, or may itself make such connection and recover the cost thereof from such owner.

Drainage of plot and buildings

(As amended by Act No. 14 of 1937)

46. (1) Every new building shall be provided with sufficient closets or latrines in accordance with the requirements of a Medical Officer of Health or Local Authority, so situated as to be conveniently accessible to all persons employed or accommodated therein. Every closet or latrine erected shall be of the type and materials approved by the Local Authority with the written sanction of a Medical Officer of Health, where such officer is available.

Provision of water closets or latrines

(2) Every water closet or latrine provided for a building shall be so placed as to permit of its thorough ventilation and lighting and shall be separated by a well-lighted and ventilated passage from any kitchen, living room or work room.

47. All sinks, baths and other water fittings shall be trapped to the satisfaction of the Local Authority, and the traps shall have a water seal of at least 3.81 centimetres.

Sinks, baths, etc., to be trapped

48. (1) The following buildings shall be exempt from the operation of regulations 25 to 32 and 42 to 44, inclusive:

Exemptions

- (a) any building erected and used or designed according to the original application and plans therefor to be used exclusively as a conservatory or plant house;
- (b) any building, being a detached building, erected and used or constructed or designed according to the original application and plans therefor to be used exclusively for a poultry house, garden tool house, cycle shed, motor garage, summer house or aviary;
- (c) all railway buildings including railway station buildings and goods sheds, but exclusive of other buildings of the warehouse class and exclusive of domestic buildings.

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(2) Any building hereinafter described shall be exempt from the operation of regulations 31, 32 and 33, that is to say: any building of one storey, each wall of which shall be provided with a proper damp- and white-ant-proof course as required by the regulation in that behalf, and the external wall of which shall be constructed of properly framed timber framing and covered externally with some impervious fireproof material, and the external wall of which shall, to a height of not less than 30.48 centimetres above the surface of the ground adjoining such wall-

Special provisions and exemptions for timber frame structures

- (a) be constructed of-
 - (i) good cement concrete at least 22.86 centimetres wide; or
 - (ii) good stone, bricks or other hard and suitable material at least 22.86 centimetres wide and properly bonded and solidly put together; or
- (b) be carried upon-
 - (i) sufficient piers constructed of good cement concrete 22.86 centimetres wide or of good stone, bricks or other hard and suitable material at least 22.86 centimetres wide, properly bonded and solidly put together; or
 - (ii) metal or timber standards of sufficient strength.

Every such pier or standard shall be covered with a sheet metal cap projecting 7.62 centimetres at least beyond the face of such piers on every side.

(3) The distance of any part of such building from the boundary of any adjoining plot or sub-plot shall not be less than 3.048 metres.

Timber frame structure to be 3.048 metres from adjoining plot boundary

(4) Where any such building forms or is intended to form part of a block of new dwelling-houses, the dwelling-houses shall be separated by party walls which shall, notwithstanding anything hereinbefore contained, be constructed in accordance with the requirements of the regulations in that behalf.

All dwelling-houses to be separated by party walls

(5) Any such building at and over a height of 30.48 centimetres from the surface of the ground may have all or any of its external walls covered on the outside partly or wholly with combustible material, if such building is at least 7.62 metres from any other building and from the boundary of any adjoining plot or subplot.

Buildings of combustible material to be at least 25 feet from other buildings or adjoining plot boundary

(6) All corrugated iron and wood used in the construction of walls, roofs or fences in connection with any building to which this regulation applies which have been previously used for the structure of other works shall be in good, proper and slightly condition.

49. Notwithstanding anything contained in the foregoing regulations, it shall be lawful for the Local Authority to grant permits for any specified period not exceeding twelve months for temporary buildings on such obligations both as to removal thereof and otherwise and generally upon such terms as may be prescribed, and the foregoing regulations shall not apply to any building erected under such a permit unless by express stipulations.

Local Authority may grant permits for temporary buildings

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50. (1) No person shall erect any traditional hut or commence to erect any traditional hut or make any additions, extensions or structural alterations thereto unless he shall have obtained a permit in writing from the Local Authority. Traditional huts

(2) The person to whom a permit has been issued shall erect the hut in respect of which the permit shall have been given in accordance with the terms of such permit and on the site indicated by the Local Authority.

(3) The person to whom a permit has been granted by the Local Authority shall complete the building within six months; in the event of failure to do so, a fresh permit must be obtained.

(4) Permits issued shall state the dimensions of the huts and the area of the plot to be left unbuilt upon.

(5) Each compartment of any hut used for sleeping purposes shall have a superficial floor area of not less than 9.29 square metres, and shall be provided with such window space and means of ventilation as shall equal one-tenth of the floor area. The height of the walls shall not be less than 2.4384 metres.

(6) Before granting a permit, the Local Authority shall be satisfied that sufficient wholesome water supply and sanitary accommodation are available.

(As amended by Act No. 330 of 1950)

SCHEDULE

(Regulation 5)

PRESCRIBED FORMS

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FORM 1

APPLICATION TO ERECT A BUILDING

For office use only

Plan submitted.....

Registered No. of plan.....

Date of registration.....

To The Local Authority

I beg to submit herewith plans, sections and elevations for a
 (state if new building, alteration, addition or sanitary reconstruction) to be used as.....
 (state whether a domestic building or for what purpose this building will be used) to be executed by me on
 Plot Nosuch plot having frontage to

I also submit the following proposed means of construction and other particulars:

External walls to be built of.....

Internal walls to be built of.....

Mortar in walls to be composed of.....

Damp course to be of.....

Foundations to be of.....

Mortar in foundations to be composed of.....

Roof to be constructed of.....

Water supply from.....

Drainage to sewer/permeable cesspit/impermeable cesspit/septic tank. (Erase words which do not apply)

In the case of septic tanks, state how the effluent will be disposed of.....

Material of drain pipes.....

Closet accommodation (state type).....

Indoor.....

Outdoor.....

Name of Architect or Draughtsman.....

Address of above.....

Name of Builder (if known).....

Signature of Owner or Agent.....

Address of Owner or Agent.....

NOTE.-Extra particulars as required by the Local Authority are to be furnished in regard to public buildings, high buildings, fireproof structures and buildings in which machinery is used.

SUBMISSION OF PLANS

All plans to be submitted to the Local Authority.

All drawings to be made on cloth, or paper, as required by the Local Authority.

All drawings to be signed by the Owner or his Agent.

All drawings to be accompanied by application form duly completed as required by the Local Authority.

All drawings to be submitted in duplicate and to be of a quality approved by the Local Authority.

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DRAWINGS REQUIRED

Scale one-eighth inch to one foot. Plans of each floor or level, having thickness of walls shown in figures.

Section through building (more than one if building is large or if required by Local Authority).

Scale one-quarter inch to one foot or larger scale. Sections if required by Local Authority of floors and roofs, verandahs and balconies, stairs, iron or steel beams, pillars and principal timbers, pavements, openings, etc., on public streets.

Scale one inch to fifty feet or larger scale. Block plan as follows:

To show plot on which buildings are to be erected.

To show plots immediately adjoining and names of the owners thereof.

To show buildings, existing or proposed, on all these plots.

To show numbers of these plots and names of the streets upon which they abut.

To indicate of what materials existing buildings are composed, i.e. bricks, wood and iron or stone, etc.

To show lines of drainage, giving size and fall of drains.

To show level and width of the street or streets upon which the proposed buildings will abut with reference to their ground floor level.



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FORM 2

Office of the Local Authority,
.....

THE PUBLIC HEALTH (BUILDING) REGULATIONS

BUILDING PERMIT

Permission is hereby given to (1).....to erect a building as a
(2).....on (3).....in accordance with the plans attached hereto and with all
conditions imposed by the above Regulations.

.....
(Name of Officer issuing Permit)

Date.....

- (1) Name and description of applicant.
- (2) Short description of building, e.g. dwelling-house, shop and dwelling-house, factory, etc. (*Modify to suit circumstances.*)
- (3) Description of situation.



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REGULATION 2 OF THE PUBLIC HEALTH (BUILDING) REGULATIONS-APPLICATION

Notices by the Minister

The whole of the Regulations apply to-

City of Lusaka.(No. 55 of 1953)

City of Kitwe.(No. 55 of 1953)

Chingola Municipality.(No. 191 of 1946)

Chipata Township.(No. 152 of 1950)

Choma Township.(No. 249 of 1950)

Kabwe Municipality.(No. 55 of 1953)

Kafue Township.(No. 181 of 1957)

Kalomo Township.(No. 153 of 1957)

Kasama Township.(No. 280 of 1959)

Luanshya Municipality.(No. 55 of 1953)

Mansa Township.(No. 173 of 1960)

Mazabuka Township.(No. 25 of 1954)

Mbala Township.(No. 227 of 1959)

Mongu Township.(No. 107 of 1967)

Monze Township.(No. 90 of 1954)

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Mufulira Municipality.(No. 55 of 1953)

Farm No. 722, Drummond Park, Livingstone District. (No. 214 of 1957)

Regulation 50 applies to-

That area which is adjacent to the Livingstone Municipality, as follows:

Starting at Mile Peg 964 in the Zambia Railways 91.44 metres Strip Reserve, the boundary runs in a straight line east-south-eastwards along the Livingstone Beer Area cut-line boundary on a bearing of 105 degrees for a distance of approximately 9326.8 metres to a point where it meets the right bank of the Nansanzu River; thence down the right bank of this river for approximately 6400.8 metres; thence crossing the Nansanzu River the boundary follows the western boundary of Reserve No. XXV Baleya in a southerly direction to where it crosses the Lutwa Stream; thence southwards down the Lutwa Stream to its confluence with the Songwe Stream; thence in a southwesterly direction down the Songwe Stream to its confluence with the Zambezi River; thence in a straight line westwards to the nearest point in the Zambezi River on the International boundary between Southern Rhodesia and Zambia; thence in a general northwesterly direction upstream along the said International boundary to a point thereon nearest to and opposite the junction of the left banks of the Zambezi and Sinda rivers; thence in a straight line northwards to that junction of the river banks; thence following the left bank of the Sinda River in a north-easterly direction to Beacon No. F239 thereon, the southwestern corner beacon of Farm No. 722 Drummond Park; thence eastwards along the southern boundary of this farm to Beacon No. F236; thence in a straight line east-north-eastwards for a distance of approximately 10607.0 metres to Mile Peg 964, the point of starting.

The Livingstone Municipality and the Victoria Falls Conservancy Area do not form part of the above described area and are hereby specifically excluded therefrom.

The above described area in extent approximately 41,200 acres is shown bordered red on Plan No. 223 deposited in the office of the Surveyor-General.

(No. 116 of 1950)

SECTION 75-THE PUBLIC HEALTH (CONTROL OF HABITATION IN FACTORIES, WORKSHOPS AND TRADE PREMISES) REGULATIONS

Government Notices
275 of 1952
291 of 1964

Regulations by the Minister

1. These Regulations may be cited as the Public Health (Control of Habitation in Factories, Workshops and Trade Premises) Regulations. Title



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2. The Minister may, by statutory notice, declare that on and after a date specified in such notice the whole of these Regulations shall apply to the whole of or only to such part of the area of any Local Authority as shall be specified in such notice.

Application of Regulations

(As amended by No. 291 of 1964)

3. No person shall use any factory, workshop or trade premises for residential or sleeping purposes except as provided in these Regulations.

Prohibition as to use, etc.

4. The Local Authority, on the advice of the Medical Officer of Health, may grant to the owner or occupier of any factory, workshop or trade premises permission in writing to use any part of the premises for residential or sleeping purposes or both such purposes if such part of the premises is suitable for the purpose and complies with the provisions of regulation 42 of the Public Health (Building) Regulations and with any other relevant provisions of or regulations made under the Act, or regulations or by-laws made, or deemed to be made, under the Local Government Act.

Power of Local Authority to grant permit
Cap. 281

5. The owner or occupier of any factory, workshop or trade premises who suffers such premises to be used in such manner as to contravene any of the provisions of these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding seven hundred and fifty penalty units.

Penalty

(As amended by Act No. 13 of 1994)

REGULATION 2 OF THE PUBLIC HEALTH (CONTROL OF HABITATION IN FACTORIES, WORKSHOPS AND TRADE PREMISES) REGULATIONS-APPLICATION

Notices by the Minister

The whole of the Regulations apply to-

City of Lusaka.(No. 375 of 1953)

City of Kitwe.(No. 375 of 1953)

City of Ndola.(No. 375 of 1953)

Chingola Municipality.(No. 375 of 1953)

Chipata Township.(No. 375 of 1953)

Choma Township.(No. 375 of 1953)

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Kabwe Municipality.(No. 375 of 1953)

Kafue Township.(No. 333 of 1957)

Kalomo Township.(No. 375 of 1953)

Kasama Township.(No. 273 of 1959)

Livingstone Municipality.(No. 375 of 1953)

Luanshya Municipality.(No. 375 of 1953)

Mansa Township.(No. 176 of 1960)

Mazabuka Township.(No. 375 of 1953)

Mbala Township.(No. 206 of 1959)

Mongu Township.(No. 112 of 1967)

Monze Township.(No. 375 of 1953)

Mufulira Municipality.(No. 375 of 1953)

Pemba Township.(No. 375 of 1953)

THE PUBLIC HEALTH (ABATTOIR AND TRANSPORT OF MEAT) REGULATIONS

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ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Application of Regulations
3. Interpretation
4. Outside slaughter houses: approval necessary
5. Meat conveyed into district of Local Authority to be examined and passed
6. Suitable vehicles to be used for transport and meat protected
7. Stamping and passing of meat
8. Obstructing examination of meat
9. Local Authority shall fix hours of slaughtering
10. Persons using abattoir shall obey regulations and lawful orders
11. Prohibition of alcohol
12. Owners' responsibility for animals brought to abattoir
13. Interference with animals in abattoir
14. Animals awaiting slaughter to be fed and watered
15. Humane methods of slaughter
16. Prohibition of straying animals in abattoir
17. Animals to be slaughtered without delay
18. Animals to be slaughtered within 36 hours
19. Prohibition of dogs, etc.
20. Prevention of the fouling of floors
21. Responsibility of owners for cleansing abattoir after use
22. Sumps and receptacles to be emptied according to instructions of Local Authority
23. Prohibition of unauthorised persons entering the abattoir
24. Cleanliness in person and clothes required in persons using the abattoir
25. Medical Officer of Health can call for inspection of all persons employed in abattoir
26. Prohibition of persons suffering from infectious diseases or open sores and of persons not clean in person or clothing
27. Introduction of diseased animals
28. Carcasses found or suspected of being diseased to be placed in special area
29. Portions of meat not to be removed from carcasses until inspected
30. Disposal of condemned meat
31. Disposal of rejected meat
32. Any authorised officer can cut up carcass when inspecting
33. Suspension of all or any of these Regulations
34. Penalties

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SECTION 82-THE PUBLIC HEALTH (ABATTOIR AND TRANSPORT OF MEAT) REGULATIONS

Regulations by the Minister

Government Notices

78 of 1932

3 of 1934

12 of 1937

175 of 1954

135 of 1957

291 of 1964

Act

51 of 1963

42 of 1992

13 of 1994

1. These Regulations may be cited as the Public Health (Abattoir and Transport of Meat) Regulations. Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations

(As amended by No. 291 of 1964)

3. In these Regulations, unless the context otherwise requires- Interpretation

"abattoir" means all buildings, spaces, lairages and appurtenances within the abattoir site provided by the Government or Local Authority;

"animal" means bull, ox, bullock, cow, heifer, steer, calf, sheep, lamb, goat, pig or other quadruped commonly used for the food of man;

"butcher" means a person whose business it is to prepare for sale or to sell meat for the food of man;

"butchers' meat" means the flesh or offal of any bull, ox, bullock, cow, heifer, steer, calf, lamb, goat, pig or other quadruped intended for the food of man, but does not include canned meat or potted meat;

"Livestock Officer" means a Livestock Officer and Assistant Livestock Officer in the employment of the Government, and includes any person appointed by the Director of Veterinary Services to act as such within the district of one or more Local Authorities;

"Veterinary Officer" means the Director of Veterinary Services and any Government Veterinary Officer and includes any veterinary practitioner appointed by the Director of Veterinary Services to act as a Veterinary Officer in any area specified in such appointment.

(As amended by No. 12 of 1937, No. 175 of 1954 and Act No. 51 of 1963)

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4. No person shall introduce for sale into the district of the Local Authority any carcass (other than game) or butchers' meat of animals slaughtered outside the district of the Local Authority, unless such animals were slaughtered at places approved by a Medical Officer of Health or Veterinary Officer.

Outside slaughter houses:
approval necessary

(As amended by No. 135 of 1957)

5. Every owner or consignee of any butchers' meat or dead animals intended for the food of man which may be conveyed or transported into the district of the Local Authority for the purposes of sale shall submit such butchers' meat or dead animals for the purpose of examination and stamping or branding, between the hours appointed for the purpose by the Local Authority on any lawful trading day, at such places as the Local Authority may, from time to time, appoint:

Meat conveyed into
district of Local Authority
to be examined and
passed

Provided that, except in so far as the Local Authority may allow in respect of meat and offal imported from a recognised place of slaughter and separated from other parts of the carcass, no such meat will be inspected or allowed to be brought within the district of the Local Authority except under the following conditions:

Conditions governing
carcasses brought in from
outside

(a) The carcasses of pigs shall be brought for inspection whole with the head attached, and shall be accompanied with all the viscera, excepting the stomach, intestines and urinary bladder;

(b) The carcasses of calves, sheep, lambs and goats shall be brought for inspection whole:

Provided that the head may be detached if it be distinctly marked as to what carcass it belongs; and such carcasses shall be accompanied with all the viscera, excepting the stomach, intestines and urinary bladder;

(c) The carcasses of bulls, oxen, bullocks, cows, heifers or steers shall be brought for inspection whole, halved or quartered with the heads detached, but, in the latter case, the several portions of such divided carcasses must be brought for inspection distinctly marked by the owners, and so that, if more than one carcass so divided is brought, the inspector may know to what animals the several portions belong, and, further, the carcasses shall be accompanied with all the viscera, excepting the stomach, intestines and urinary bladder.

(As amended by No. 135 of 1957)

6. (1) All meat conveyed within the district of the Local Authority as aforesaid shall be carried in suitable vehicles, and completely and efficiently protected from dust by means of a clean and suitable covering, which shall be thoroughly cleansed on each occasion immediately before use.

Suitable vehicles to be
used for transport and
meat protected

(2) All vehicles used for the transport of meat shall have the owner's name and address painted on a conspicuous part of the vehicle, in letters not less than two inches deep.

(3) No vehicle used for the transport of meat may be used for any other purpose without the approval of the Local Authority.

(As amended by No. 135 of 1957)



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7. A person shall not offer or expose or deposit for sale or have in his possession for the purpose of sale or delivery within the district of the Local Authority butchers' meat, unless the same has been examined, branded, stamped or otherwise marked, and passed by the officers authorised by the Medical Officer of Health. Stamping and passing of meat

8. A person shall not directly or indirectly, obstruct or resist the examination referred to in regulation 5, or refuse to answer or knowingly make false answer to any inquiry in connection therewith. Obstructing examination of meat

9. The Local Authority shall, from time to time, fix the hours during which the slaughtering of animals and the dressing and removal of carcasses may be carried out within the abattoir. Local Authority shall fix hours of slaughtering

10. Every person employed in or using the abattoir shall be subject to the regulations herein concerning such abattoir and shall obey any orders lawfully given by the officer in charge or any other person appointed by the Local Authority. Persons using abattoir shall obey regulations and lawful orders

11. A person shall not take spirits or intoxicating liquors into the abattoir, or be in possession of any spirits or intoxicating liquors therein. Prohibition of alcohol

12. Owners of animals brought into the abattoir shall be responsible for such animals and shall make good any damage done by them therein. Owners' responsibility for animals brought to abattoir

13. No person shall, without the authority of the owner or the officer in charge, interfere with the animals in the abattoir: Interference with animals in abattoir

Provided that any Medical Officer of Health, Veterinary Officer, Health Inspector or Livestock Officer shall, at all times, have free access to the animals for the purpose of inspection.

14. All animals brought into the abattoir shall, while awaiting slaughter, be watered and treated with due and proper care by the owner or his representatives, and such owner or representative shall not suffer or cause such animals to be without food for more than twenty-four hours or without a sufficient quantity of wholesome water. Animals awaiting slaughter to be fed and watered

15. Every person who shall slaughter or assist in the slaughtering of any animal shall adopt all practical means of ensuring the infliction of as little pain or suffering as possible, and to that end shall conform to and carry out all directions which shall be given, from time to time, by the Local Authority or its officers. Humane methods of slaughter

16. Animals shall not be allowed to stray at large within the abattoir, but shall be kept in the pens provided for that purpose. Prohibition of straying animals in abattoir

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17. Every person bringing or causing to be brought any animal to the abattoir shall cause the same to be slaughtered and the carcass thereof to be removed with the least possible delay. Animals to be slaughtered without delay

18. Animals shall not be permitted to be kept in the abattoir, awaiting slaughter, for a longer period than thirty-six hours. Animals to be slaughtered within 36 hours

19. A person shall not bring, keep or suffer to be brought or kept within the abattoir any dog, cat, fowl, duck or goose, or any animal not required on the premises, except those intended for slaughter for human consumption. Prohibition of dogs, etc.

20. Every person engaged in the killing or dressing of any animal shall cause the contents of the stomach and entrails of such animals to be emptied with the least possible delay into proper receptacles and shall take every possible care to prevent the fouling of the floors. Prevention of the fouling of floors

21. Every person engaged in slaughtering at the abattoir shall, as soon as possible after the completion of any slaughtering or dressing of the carcasses, remove all blood, manure, garbage, filth or other refuse products, and shall cause every part of the floor or pavement, and the surface of every wall or pillar or other portion of the chamber on which any blood, liquid or filth may have been spilt or splashed, or with which any offensive or noxious matter may have been brought in contact during the process of slaughtering or dressing any animal, and every article and appliance which may have been used in the slaughtering and dressing, to be thoroughly cleansed and washed immediately after the completion of such slaughtering or dressing, and shall so flush the floor and walls that no dirt or refuse shall remain on them, and that all such dirt or refuse shall flow into the sumpt provided for that purpose. The Local Authority may, if it thinks fit, engage a person or persons to perform the services enumerated herein and shall, in that case, charge a fee for each animal slaughtered, which fee shall be payable in advance. Responsibility of owners for cleansing abattoir after use

22. All blood and refuse emptied into sumps or other receptacles shall be removed daily, as soon as the slaughtering and dressing are completed, to such places as may, from time to time, be appointed by the Local Authority, and shall be there disposed of in the manner laid down by the Local Authority. Sumps and receptacles to be emptied according to instructions of Local Authority

23. No persons other than those using or employed in the abattoir and any Medical Officer of Health, Veterinary Officer, Health Inspector or Livestock Officer shall be allowed in the abattoir without the permission of the officer in charge: Prohibition of unauthorised persons entering the abattoir

Provided that it shall be competent for the Local Authority, by means of an order, to grant such permission to any person.

24. Every person employed in the slaughtering of animals or in the handling of carcasses or meat shall be clean in person and in good health, and shall, when handling carcasses or meat, wear a clean smock or overall and such other clean garments as the Medical Officer of Health may require. Cleanliness in person and clothes required in persons using the abattoir



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25. All persons employed in the slaughtering of animals or the handling of meat and carcasses shall submit themselves for medical examination to the Medical Officer of Health or Health Inspector when called upon to do so by the Medical Officer of Health. Notices calling for medical inspection shall be posted in some prominent position within the precincts of the abattoir.

Medical Officer of Health can call for inspection of all persons employed in abattoir

26. No person suffering from any infectious or contagious disease, and no person who has been in contact with any person so suffering who has not been disinfected to the satisfaction of the Medical Officer of Health thereafter, and no person having any discharge, ulcer or sore, and no person whose body or clothing is not in a clean condition, shall be allowed to enter the abattoir, or shall be allowed in any way to take part or assist in the slaughtering or handling of animals or carcasses therein.

Prohibition of persons suffering from infectious diseases or open sores and of persons not clean in person or clothing

27. Every person bringing into the abattoir, either by himself or his servants, any animal which is diseased or suspected of being diseased shall take the same to the place set apart for the reception of such animals, and shall immediately inform the responsible officer of the Local Authority.

Introduction of diseased animals

28. Any person slaughtering or assisting in slaughtering at the abattoir any animal which, after being slaughtered, is found or suspected of being diseased shall take the carcass thereof to the place set apart for the reception of the carcasses of diseased animals, and shall immediately inform the responsible officer of the Local Authority.

Carcasses found or suspected of being diseased to be placed in special area

29. No person shall cut away or remove from any carcass any portions thereof, diseased or otherwise, before inspection of the carcass by the Medical Officer of Health, Veterinary Officer, Health Inspector, Livestock Officer or person authorised in writing by the Medical Officer of Health or Veterinary Officer to carry out inspections of carcasses or meat.

Portions of meat not to be removed from carcasses until inspected

30. The carcasses of animals condemned on account of disease or other reason as unfit for human consumption shall be dealt with and disposed of by the owner thereof, in such manner as the Medical Officer of Health or Veterinary Officer shall direct.

Disposal of condemned meat

31. The carcasses of animals submitted for examination and rejected on account of non-compliance with the conditions laid down in regulation 5 shall be dealt with and disposed of by the owner thereof in such manner as the Medical Officer of Health or Veterinary Officer shall direct.

Disposal of rejected meat

(No. 3 of 1934)

32. Any duly authorised officer, when inspecting carcasses, either whole or in halves or quarters or otherwise, may cut into any portion of a carcass during the course of his inspection, and no liability shall be incurred by reason of anything which he does for the purposes of inspection or examination.

Any authorised officer can cut up carcass when inspecting

33. To meet cases of emergency, the Medical Officer of Health or the Veterinary Officer may authorise the suspension of all or any of these Regulations.

Suspension of all or any of these Regulations



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34. Any person guilty of an offence against or contravention of, or default in complying with, any provision of these Regulations shall be liable, on conviction, to a fine not exceeding seven hundred and fifty penalty units, and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which the offence, contravention or default continues.

Penalties

(As amended by Act No. 13 of 1994)

REGULATION 2 OF THE PUBLIC HEALTH (ABATTOIR AND TRANSPORT OF MEAT)
 REGULATIONS-APPLICATION

Notice by the Minister

The whole of the Regulations apply to-

City of Ndola.(No. 98 of 1932)

SECTION 82-THE PUBLIC HEALTH (LIVINGSTONE ABATTOIR) (SLAUGHTER OF WESTERN PROVINCE
 CATTLE) REGULATIONS

Government Notices

3 of 1939

497 of 1964

Act

13 of 1994

Regulations by the Minister

1. These Regulations may be cited as the Public Health (Livingstone Abattoir) (Slaughter of Western Province Cattle) Regulations.

Title

2. In these Regulations, unless the context otherwise requires-

Interpretation

"abattoir" means the municipal abattoir at Livingstone;

"cattle" means cattle exported from the Western Province of Livingstone.

3. No cattle shall be slaughtered except in the abattoir and under the direct supervision and control of an official of the Veterinary Department.

Slaughter to be under control of Veterinary Department

4. Cattle shall be slaughtered at such times as the official of the Veterinary Department controlling such slaughtering shall direct.

Time of slaughtering



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- 5.** The organs contained in the chest cavity and the parietal pleura and any other portions (including the whole) of the carcasses of cattle, as the official of the Veterinary Department supervising the slaughtering shall direct, shall be destroyed by being incinerated within the abattoir enclosure. Portions of carcasses to be incinerated
- 6.** Any official of the Veterinary Department may order the person in charge of the abattoir to take such precautions as such official may think fit to ensure that no cattle shall escape from the abattoir enclosure, and that the portions of carcasses which are to be destroyed under regulation 5 are efficiently incinerated. Precautions to be taken as ordered
- 7.** If the person in charge of the abattoir fails to carry out any order given by the official of the Veterinary Department under the last preceding regulation, he shall be guilty of a breach of these Regulations. Failure to obey order to be an offence
- 8.** Any person committing or assisting in the commission of a breach of these Regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding seven hundred and fifty penalty units. Penalty

(As amended by Act No. 13 of 1994)

THE PUBLIC HEALTH (MEAT, ABATTOIR AND BUTCHERIES) REGULATIONS

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SECTIONS 82 AND 114-THE PUBLIC HEALTH (MEAT, ABATTOIR AND BUTCHERIES) REGULATIONS

Regulations by the Minister

Government Notices

154 of 1940

213 of 1943

139 of 1946

326 of 1950

172 of 1952

169 of 1954

136 of 1957

291 of 1964

Statutory Instrument

45 of 1966

92 of 1992

Act

51 of 1963

13 of 1994

PART I

GENERAL

1. These Regulations may be cited as the Public Health (Meat, Abattoir and Butcheries) Regulations. Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations

(As amended by No. 291 of 1964)

3. In these Regulations, unless the context otherwise requires- Interpretation

"abattoir" means a place provided by the Government or by the Local Authority or approved by the Local Authority for the slaughter of animals intended for sale for the food of man and includes all buildings, lairs, stalls and spaces within the abattoir site;

"animal" means bull, ox, bullock, cow, heifer, steer, calf, sheep, lamb, goat or other quadruped commonly used for the food of man;

"butcher" includes the owner, occupier and manager of a butchery;

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"butchery" means any premises in which is carried on any of the processes of or incidental to the selling, storage or preparation of meat or meat products for the use of persons other than those residing on the premises;

"meat" means the flesh or offal or other part used or intended for the food of man derived from any animal as defined above, but does not include canned meat, potted meat, bacon or ham;

"Meat Inspector" means any suitably qualified person employed by any Local Authority to act as Meat Inspector or any other suitably qualified person authorised in writing by the Director of Medical Services to act as such.

"offal" means the skin, head, horns, feet, trotters, stomach and intestines from any animal as defined above;

"cleaned offal" means offal which has been cleaned and skinned or scraped to the satisfaction of the Medical Officer of Health;

"uncleaned offal" means offal which has not been cleaned and skinned or scraped to the satisfaction of the Medical Officer of Health.

(As amended by No. 139 of 1946, No. 169 of 1954, Act No. 51 of 1963 and S.I. No. 42 of 1992)

4. (1) From the commencement of the whole or any part of these Regulations no person shall expose, offer, deposit or accept for sale or for consumption in a restaurant or sell or deliver within any area to which these Regulations apply any meat unless the same has been examined and stamped or branded or otherwise marked as may be approved by the Local Authority as having been passed by the Meat Inspector as fit for use as the food of man.

No meat to be sold unless marked as fit for consumption

(2) For the purposes of this regulation, "restaurant" includes a tea room, hotel or boarding-house and means any premises where any article of food or drink is sold, or is prepared or cooked for sale, for consumption on the premises.

(As amended by Act No. 136 of 1957)

5. No person shall directly or indirectly obstruct or resist the Meat Inspector, the Medical Officer of Health, the Veterinary Officer or other duly authorised officer in the lawful execution of any of the provisions of these Regulations.

Obstruction of authorised officer

6. Where any question shall arise as to whether any carcass or meat was intended for sale or was intended for the food of man, the onus of proof that such carcass or meat was not so intended shall rest upon the owner of such carcass or meat.

Onus of proof



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PART II

MANAGEMENT OF ABATTOIRS

7. Where an abattoir is available in the area of a Local Authority, no person shall slaughter any animal the flesh of which is intended for sale for the food of man in any other place within the area of the Local Authority.

Abattoir provided by Local Authority

8. Every person engaged in the work of slaughtering animals the flesh of which is intended for sale as food of man and every person engaged in the dressing of carcasses intended for such purpose or engaged in any way in the preparation of such carcasses or of meat derived therefrom shall comply with the instructions in the First Schedule.

Persons slaughtering animals to comply with First Schedule

9. No person shall bring any dead or dying animal into any abattoir without first obtaining the written consent of the Veterinary Officer.

Dead or dying animals

10. When such is thought necessary by the Meat Inspector and the same is reasonably practicable, an animal intended for slaughter for sale as the food of man shall be examined by a Veterinary Officer before slaughter and for this purpose the Meat Inspector may prohibit the slaughter of any animal until such examination shall have been made, provided that slaughter may not be delayed more than twenty-four hours for this purpose.

Examination by Veterinary Officer before slaughter

11. All animals brought into the abattoir shall be fed, watered and treated with due and proper care by the owner or his representative, and such owner or his representative shall not suffer or cause such animals to be without food for more than twenty-four hours nor to be at any time without a sufficient quantity of wholesome water.

Animals awaiting slaughter to be fed and watered

12. No animal shall be allowed to stray at large within the abattoir but shall be kept by the owner in the pens provided for that purpose.

Straying animals

13. Every person bringing or causing any animal to be brought to the abattoir shall cause the same to be slaughtered and the carcass thereof, if passed, to be removed with the least possible delay, and in no case may any animal be kept in the abattoir awaiting slaughter for a longer period than thirty-six hours.

Animals to be slaughtered without delay

14. No person shall bring or keep or suffer to be brought or kept within the abattoir any animal save those intended for slaughter for the food of man.

Exclusion of animals not intended for slaughter

15. Every person engaged in the slaughter of any animal or the dressing or preparation of any carcass shall cause the contents of the stomach and entrails of such animal to be emptied with the least possible delay into proper receptacles and shall take every possible care to prevent fouling of the floors.

Prevention of fouling of floors

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16. Every person engaged in slaughtering or engaged in the dressing or handling of any carcass or meat at any abattoir shall as soon as possible after the completion of such slaughtering, dressing or handling remove all blood, manure, garbage, filth or other refuse and shall cause every part of the floor or pavement and the surface of every wall, pillar or other portion of the abattoir on which any blood, manure, garbage, filth or other refuse may have been splashed or deposited, or with which any offensive or noxious matter may have been in contact and every article and appliance which may have been used in slaughtering, dressing or handling, to be thoroughly washed and cleansed immediately after the completion of such slaughtering, dressing or handling, and shall so flush the floor and walls that no dirt or refuse shall remain on them, and all blood, manure, garbage, filth or other refuse removed or washed from the abattoir in accordance with this regulation shall be disposed of as may be directed by the Meat Inspector.

Persons slaughtering to
 cleanse abattoir after use

17. Every person engaged in the slaughtering of animals or the dressing or handling of carcasses or meat shall be clean in person and shall, when dressing or handling carcasses or meat, wear a clean smock or overall over his other garments which shall also be clean to the satisfaction of the Meat Inspector.

Cleanliness in person and
 dress

18. All persons engaged in slaughtering animals or in dressing or handling carcasses or meat shall submit themselves to medical examination by the Medical Officer of Health when called upon to do so by the Medical Officer of Health, Veterinary Officer or Meat Inspector and, if it shall appear to the Medical Officer of Health, Veterinary Officer or Meat Inspector that any person engaged as aforesaid is not in good health, the Medical Officer of Health, Veterinary Officer or Meat Inspector may exclude such person from the abattoir until such person has been examined by the Medical Officer of Health and reported to be in good health.

Medical examination

19. No person suffering from any contagious or infectious disease shall enter any abattoir; and no person who has been in contact with any person so suffering or who has any discharge, ulcer or sore shall enter any abattoir without authority from the Medical Officer of Health.

Communicable diseases

20. Every person bringing into any abattoir either by himself or by his servants any animal which is diseased or suspected of being diseased shall take the same to the place, if any, set apart for the reception of such animals and, if no special place shall have been so set apart, shall inform the Meat Inspector of having taken to the abattoir an animal diseased or suspected of being diseased and shall immediately take such animal to such place in or part of the abattoir as the Meat Inspector may direct.

Diseased animals

21. Any person slaughtering or assisting in slaughtering at any abattoir any animal which after slaughter is found or suspected to be diseased or abnormal shall take the carcass of such animal to the place, if any, set apart for the reception of the carcasses of diseased animals and shall immediately inform the Meat Inspector of having done so. If no special place shall have been set apart as aforesaid, any person slaughtering or assisting in slaughtering at any abattoir any animal which after slaughter is found or suspected to be diseased or abnormal shall immediately inform the Meat Inspector of such finding or suspicion and shall take the carcass of such animal to such place in or part of the abattoir as the Meat Inspector may direct.

Disposal of suspected or
 diseased carcasses



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22. The Local Authority may fix the days on which the slaughtering of animals may be carried out within the abattoir and may fix the time at or before which any animal brought into the abattoir for slaughtering shall be placed in the pen provided for the keeping of such animal. A notice specifying such days and time shall be affixed to the door of the abattoir or posted up in some other conspicuous place within the abattoir.

Local Authority to fix days for slaughtering

(No. 213 of 1943)

23. An inclusive fee for each kilo dressed weight may be charged by a Local Authority or Meat Inspector in respect of each or any combination of the following, namely the slaughtering, examination, stamping, branding, marking, re-examination re-stamping, re-marking of any animal or meat or carcass. Such fee shall become due and payable upon the rendering of an account thereof by the Local Authority or the Meat Inspector.

Fees

(As amended by S.I. No. 92 of 1992)

PART III

INSPECTION AND MARKING OF MEAT

24. No person shall interfere with or obstruct the Meat Inspector, the Medical Officer of Health, the Veterinary Officer or other duly authorised officer in the course of the duties incidental to the examination and marking of meat as required by these Regulations, and any person convicted of a breach of this regulation may be excluded by the Meat Inspector from the abattoir.

Exclusion from abattoir of persons convicted of obstruction

25. In the examination of meat intended for sale for the food of man, the Meat Inspector shall inspect the whole carcass with the internal organs and shall comply with the instructions contained in the Second Schedule.

Meat Inspector to comply with Second Schedule

26. Notwithstanding any restriction as to cutting any carcass or part of a carcass which may be ordinarily imposed upon the Meat Inspector by the last preceding regulation and the instructions therein referred to, the Meat Inspector or the Medical Officer of Health or the Veterinary Officer may, when inspecting carcasses or any part thereof and when the protection of the public health demands such action, cut into any portion of the carcass or part of the carcass, and no liability shall be incurred by reason of such cutting or by reason of anything which such officers may lawfully do for the purposes of inspection and examination of meat.

Cutting of carcasses

27. In determining the action to be taken in the event of evidence of disease or of abnormality being found in any carcass or in the organs or viscera, the Meat Inspector shall comply with the instructions in the Third Schedule.

Meat Inspector to comply with Third Schedule

28. The Meat Inspector having examined in accordance with these Regulations the carcass, organs or viscera of any animal intended for sale for the food of man shall brand, stamp or otherwise mark in a manner approved by the Local Authority all meat passed by him as free from disease, sound, wholesome and fit for the food of man.

Meat Inspector to mark meat passed as fit

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| <p>29. The Meat Inspector having examined in accordance with these Regulations the carcass, organs or viscera of any animal intended for sale for the food of man and finding or suspecting the same to be diseased or unsound or unwholesome and unfit for the food of man shall, when such action is directed in the Third Schedule, seize the said carcass, part of a carcass, organ or viscera for examination by the Medical Officer of Health or Veterinary Officer.</p> | <p>Meat Inspector to seize meat not passed as fit</p> |
| <p>30. No person save the Medical Officer of Health, Veterinary Officer or a person acting under the instructions of either of them shall remove, cut or in any way interfere with any carcass or part of a carcass, organ or viscera which may have been seized by the Meat Inspector unless and until the same shall have been passed by the Medical Officer of Health or Veterinary Officer.</p> | <p>Unauthorised persons not to interfere with seized carcasses</p> |
| <p>31. The Meat Inspector shall within six hours of seizing any carcass, part of a carcass, organ or viscera notify in writing to the owner the fact of and the reason for such seizure. The written notice to the owner, which shall be in the form set out in the Fourth Schedule, may be handed to any representative or employee of the owner at the abattoir.</p> | <p>Owner to be notified of seizure</p> |
| <p>32. Any carcass or meat seized by the Meat Inspector in accordance with regulation 29 may be voluntarily surrendered to the Meat Inspector by the owner, and any carcass or meat so surrendered shall be forthwith dealt with in accordance with regulation 35.</p> | <p>Voluntary surrender of seized meat</p> |
| <p>33. If any carcass or meat seized by the Meat Inspector is not voluntarily surrendered by the owner, the Meat Inspector shall forthwith notify the Medical Officer of Health or Veterinary Officer who shall, within twenty-four hours of receiving such notice, personally inspect the said carcass or meat.</p> | <p>Seized meat not voluntarily surrendered</p> |
| <p>34. Any carcass or meat seized by the Meat Inspector which, in the opinion of the Medical Officer of Health or Veterinary Officer, is fit for the food of man shall be forthwith passed and stamped, branded or otherwise marked as provided for in regulation 28.</p> | <p>Seized meat found fit for consumption</p> |
| <p>35. Any carcass or meat seized by the Meat Inspector which is voluntarily surrendered by the owner or which, in the opinion of the Medical Officer of Health or Veterinary Officer, is diseased or unsound or unwholesome and unfit for use as the food of man shall be condemned and shall be destroyed or rendered unsaleable as food of man or animal or otherwise disposed of in such manner as the Medical Officer of Health may direct.</p> | <p>Disposal of seized meat found unfit for consumption</p> |
| <p>36. Neither the Local Authority nor the Medical Officer of Health nor the Veterinary Officer nor the Meat Inspector shall be held responsible in any way for any loss which may be suffered by the owner from natural decomposition of meat occurring during the period between slaughter of the animal concerned and inspection by the Medical Officer of Health or Veterinary Officer as provided for in regulation 33.</p> | <p>No responsibility for loss due to decomposition</p> |
| <p>37. No compensation shall be paid or payable by the Local Authority in respect of any meat which has been lawfully seized, condemned, destroyed or rendered unsaleable or otherwise disposed of in accordance with these Regulations.</p> | <p>No compensation for meat lawfully disposed of</p> |

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PART IV

TRANSPORT OF MEAT

38. A person shall not introduce for sale into the area of the Local Authority any carcass or meat (other than game) derived from any animal slaughtered outside the area of the Local Authority, unless such animal was slaughtered at a place approved by the Medical Officer of Health and unless the meat was conveyed from the place of slaughter to the area of the Local Authority in a vehicle conforming to the provisions of regulations 41 and 42 and in accordance with the other provisions of this Part.

Outside slaughter

(As amended by No. 136 of 1957 and No. 45 of 1966)

39. Every owner or consignee of any carcass or meat intended for sale for the food of man which may be conveyed or transported into the area of the Local Authority shall submit such carcass or meat for the purpose of examination, stamping, branding or otherwise marking in accordance with regulation 4 at such place and at such hours on any lawful trading day as the Local Authority may from time to time appoint for such purpose:

Marking of carcasses brought in from outside

Provided that-

- (i) no such carcass or meat shall be brought within the area of the Local Authority except under the conditions prescribed in regulation 38 and in the Fifth Schedule;
- (ii) a Local Authority may waive the conditions set out in the Fifth Schedule in respect of meat and offal imported from a recognised place of slaughter when separate from other parts of the carcass.

(As amended by No. 136 of 1957)

40. Carcasses or meat brought within the area of the Local Authority in contravention of either of the last two preceding regulations shall be seized by the Medical Officer of Health, Veterinary Officer or Meat Inspector and shall be disposed of in such manner as the Medical Officer of Health may direct.

Seizure of meat brought in unlawfully

41.(1) All meat conveyed within the area of the Local Authority or conveyed into the said area as provided for in regulations 38 and 39 shall be conveyed in suitable vehicles and completely and efficiently protected from dust and from the access of insects, and the said vehicles shall on each occasion be thoroughly cleansed immediately after use and if necessary be again cleansed immediately before subsequent use.

Meat to be transported in suitable vehicles

(2) Where uncleaned offal or cleaned offal is so conveyed, it shall be kept in separate watertight vessels of enamelled or galvanised metal, each having a close-fitting lid, so that cleaned offal cannot come into contact with uncleaned offal and so that no offal can come into contact with other meat.

(3) Where all or any of the following parts from any animal, that is to say, the heart, liver, lungs, spleen, tail or tongue, are so conveyed, they shall either-

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(a) be kept in a watertight vessel of enamelled or galvanised metal, having a close-fitting lid; or

(b) be wrapped in clean, waterproof material;

so that they cannot come into contact with the floor of the vehicle or with any uncleaned offal, cleaned offal or other meat.

(As amended by No. 45 of 1966)

42. From and after ninety days after the commencement of regulation 41 in the area of any Local Authority, a vehicle used for the conveyance of meat shall not be deemed to be a "suitable vehicle" as required by regulation 41 unless it shall comply with the requirements set out in the Sixth Schedule and be maintained at all times in thoroughly clean condition and in compliance with such requirements. No vehicle used for the transport of meat may be used for any other purpose without the approval of the Local Authority.

Vehicles to comply with Sixth Schedule

(As amended by No. 136 of 1957)

43. Every vehicle used for the transport of meat shall have the owner's name and address painted on a conspicuous part of the vehicle in letters not less than 5.08 centimetres in height.

Owner's name to be shown on vehicle

PART V

BUTCHERIES

44. (1) A butcher shall not carry on business in a butchery unless he is in possession of a valid certificate in writing from the Local Authority that such butchery conforms to the provisions of regulation 45.

Butcheries to be approved by Local Authority

(2) Every such certificate shall be exhibited at all times in the butchery to which it relates.

(3) The Local Authority may revoke the certificate at any time on being satisfied that the butchery has ceased to conform to the provisions of regulation 45.

(As amended by No. 326 of 1950)



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45. Every butchery shall comply with the following:

Conditions to be complied with by butcheries

- (a) The premises shall be constructed of materials approved by the Local Authority. All internal walls are to be rendered with non-absorbent easily cleaned material to a height of at least 6 feet. All floors shall be of non-absorbent material and shall be drained to the satisfaction of the Local Authority;
- (b) Every room, with the exception of a room used as a cold store, must be adequately lighted and ventilated;
- (c) All counters and tables upon which meat is placed shall be surfaced with non-absorbent material;
- (d) The doors and windows shall be provided with effective fly screens of wire gauze of not less than 144 meshes to the square inch and the said screens shall be maintained in a state of thorough repair. All screened doors shall be so made as to be automatically self-closing;
- (e) Every door, window, ventilator or other opening of any butchery shall be so placed as to be at least 6.096 metres from any privy and from the door or window of any stable, and no butchery shall communicate by door or window or otherwise with a sleeping or living room;
- (f) A proper and sufficient supply of pure water, free from risk of contamination, and proper and sufficient latrine accommodation, to the satisfaction of the Medical Officer of Health, shall be provided for all persons employed;
- (g) A dressing room shall be provided in which the overalls of the employees may be kept in a clean and sanitary condition. Such room shall be separate from any place where meat or meat products or materials are stored or handled and shall be furnished with the necessary lavatory accommodation for employees to wash themselves.

46. Every butcher shall-

Duties of butchers in respect of butcheries

- (a) at all times maintain his butchery in a state of thorough cleanliness and ventilation;
- (b) cause all vessels and utensils and all carts or other vehicles, sacks, baskets or other receptacles used in his business for the preparation, conveyance or storage of meat or meat products to be kept in a clean and wholesome state;
- (c) cause all inside walls of his butchery to be painted with three coats of oil paint or varnish to a height of at least 1.8288 metres from the floor and cause all ceilings and all inside walls above the height of 1.8288 metres to be either painted with three coats of oil paint or varnish or to be limewashed.

Where oil or paint varnish is used it shall be renewed at least once in every five years; where limewash is used it shall be renewed at least once in every six months.

The part of the walls which is painted or varnished in accordance with this regulation shall be washed with hot water and soap at least once in every week;

- (d) cause all persons employed in his butchery to be clean and dressed in clean overalls made of washable materials while so employed;
- (e) maintain in the lavatory a sufficient supply of soap, nail brushes and clean towels for the use of his employees;
- (f) provide suitable means for protecting all meat and meat products from contamination by dust, dirt or flies while retained in the butchery or by means of closed cases or vehicles when in the course of conveyance through the streets of the district of the Local Authority;
- (g) provide a sufficient number of approved vessels or receptacles properly constructed of galvanised iron or other impervious material and furnished with close-fitting covers, for the purpose of receiving or conveying from his butchery all refuse products of the business.

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47. No butcher shall keep or permit to be kept or to be sold any uncleaned offal in a butchery in which meat other than uncleaned offal is kept or is sold. Uncleaned offal

(No. 139 of 1946)

48. Uncleaned offal shall be only kept and sold in a separate butchery situated on a site approved by the Medical Officer of Health, and such butchery shall conform to the provisions of regulation 45. Separate butchery for uncleaned offal

(No. 139 of 1946)

49. No person shall spit in any butchery. Prohibition of spitting

50. No butcher shall at any time keep or cause or suffer to be kept or to be in the butchery any dog, cat, pig or other animal, or any fowl, pigeon or any other bird in the live state. Prohibition of animals in butcheries

51. No butcher shall knowingly cause or permit any person (whether himself or another) suffering from any infectious or contagious disease to be employed in or about his butchery or in the delivery of meat or meat products. Exclusion of persons suffering from communicable disease

52. Every butcher shall without delay inform the Medical Officer of Health of the occurrence of any infectious or contagious disease among any of the persons employed or residing on his premises, and shall comply with any directions the Medical Officer of Health or Health Inspector may give for the purpose of preventing the spread of such disease. Occurrence of communicable disease to be reported

53. All persons engaged in the handling of meat or meat products shall submit themselves to medical examination by the Medical Officer of Health when called upon to do so by him. Medical examination

PART VI

PENALTIES AND REVOCATION

54. Any person found guilty of an offence against or contravention of or default in complying with any provision of these Regulations shall be liable on conviction to a fine not exceeding seven hundred and fifty penalty units and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which the offence, contravention or default continues. Penalties

(As amended by Act No. 13 of 1994)



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55. Whenever these Regulations or any of the provisions thereof shall be applied to the district of any Local Authority or any part thereof, to which district or part thereof the Public Health (Abattoir and Transport of Meat) Regulations apply, the said Public Health (Abattoir and Transport of Meat) Regulations shall cease to apply to such district or part thereof from the date of the application of these Regulations or of any of the provisions thereof to such district or part thereof. Revocation

FIRST SCHEDULE

(Regulation 8)

INSTRUCTIONS TO PERSONS ENGAGED IN SLAUGHTERING ANIMALS OR IN DRESSING OR HANDLING OR PREPARING CARCASSES OR MEAT

- 1 Slaughtering shall be carried out only by humane methods approved by the Local Authority.
- 2 Notice of intention to slaughter an animal for emergency reasons shall be made to the Meat Inspector before slaughter and so far as may be practicable all such animals shall be examined alive by a Veterinary Officer.
- 3 Evidence of disease or abnormality in a carcass or organ shall not be modified, obscured or obliterated by washing, rubbing, stripping, or in any other manner except under the direct supervision of the Meat Inspector and in accordance with his instructions.
- 4 In no case other than cases of "back bleeding", "over sticking" or "sticking in" shall any serous membrane be stripped except by direction of the Meat Inspector and in any case of "back bleeding", "over sticking" or "sticking in" in which immediate stripping is necessary to preserve the marketability of the carcass, the membrane shall not be completely detached from the carcass until the membrane has been examined by the Meat Inspector and he has authorised its detachment.
- 5 No carcass presenting evidence of disease shall be wiped down with a wiping cloth used for healthy carcasses and no cloth which has been used for wiping down a diseased carcass shall again be used until it has been boiled for 15 minutes in water containing soda.
- 6 Where the carcass is not examined by the Meat Inspector at the time of slaughter, the whole of the organs and viscera shall be so kept or labelled pending such examination as to enable them to be identified with the carcass from which they have been derived.
- 7 Knives that have been used in cutting any diseased organ, gland or tissue shall not again be used for any purpose until they have been cleansed in boiling water or other disinfectant approved by the Meat Inspector.

SECOND SCHEDULE

(Regulation 25)

INSTRUCTIONS TO MEAT INSPECTORS AS TO METHOD OF EXAMINATION OF CARCASSES AND MEAT

PART I



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General Instructions

1. When any abnormal condition is observed or suspected, the nature and significance of which cannot be determined by observation and palpation, the part of the carcass, organ or gland shall be incised and the incisions shall be made in such manner as to avoid soiling or contaminating or unnecessarily depreciating the value of any part of the carcass or organ or viscera which may be passed as fit for human consumption.
2. The lymph glands shall be examined by multiple incisions into their substance.
3. All organs and viscera shall be examined as they are removed from the carcass or in such circumstances as will ensure that they are the organs and viscera of the particular carcass.
4. All organs and viscera together with the associated lymph glands shall be examined by observation and palpation, incision being made when necessary.
5. The carcass shall be examined for (1) condition of nutrition; (2) evidence of bruising, haemorrhage, or discoloration; (3) local or general dropsy (oedema); (4) the efficiency of bleeding; and (5) swellings or deformities of bones or joints, or swellings or other abnormality in the musculature.
6. The serous membranes (pleura and peritoneum) shall be examined in every case, and in no case shall they be removed nor shall any evidence of disease be modified or obliterated by washing, rubbing, stripping or in any other manner before examination.
7. Where a carcass is split, the sternum, ribs, vertebrae and spinal cord shall be examined.

PART II

Detailed Instructions for Routine Inspection of Carcasses, Organs, and Viscera of Bovines and Swine

1. *Head*-The head, including (a) the surface and substance of the tongue (which shall be loosened but not detached before examination, (b) the palate or roof of the mouth and (c) the lymph glands of the throat (retropharyngeal, submaxillary and parotid), shall be examined; and the cheek muscles shall be examined by a linear incision parallel to the lower jaw.
2. *Abdominal Cavity*-(a) *Stomach, Intestines and Spleen*.-The inner and outer surface of the stomach and intestines and the surface and substance of the spleen shall be examined, together with the glands of the stomach and bowel (gastro-splenic and mesenteric) and the web (omentum). (b) *Liver*.- The surface and substance of the liver shall be examined, an incision being made into the thick end in the case of cattle. The associated glands (hepatic) shall also be examined and the bile ducts incised. (c) *Kidneys*.-The lymph glands of the kidneys (renal) and the adrenal glands shall be examined before the removal of the kidneys. Thereafter the kidneys shall be removed and the surface examined and, if necessary, the kidneys shall be split by incision and the substance examined. (d) *Uterus and Ovaries*.-The inner and outer surface of the uterus and the substance of the ovaries shall be examined.
3. *Thoracic Cavity*.-The pluck shall be examined in the following manner before the various organs are separated from each other:
 - (a) *Lungs*.-The lungs shall be examined by observation and by palpation and, unless obviously diseased, they shall be incised at the base. The associated lymph glands (bronchial and mediastinal) shall also be examined and, unless obviously diseased, shall be incised.
 - (b) *Heart*.-The heart sac (pericardium) shall be opened; and the walls of the heart shall be incised so as to open the ventricles.
4. *Udder*.-The udder shall be examined by observation and by palpation; incisions shall be made at the base of the teats; and the associated glands (supramammary) shall also be incised.
5. *Testicles and Penis*.-The outer surface and the substance of the testicles and penis and the superficial inguinal glands shall be examined.
6. *Serous Membranes*.-The lining (serous) membranes of the chest and abdomen (pleura and peritoneum) shall be examined in every case.
7. The following lymph glands shall be examined as a matter of routine in *all* cases:
 - (a) retro-pharyngeal (in bovines) and submaxillary (in swine);
 - (b) bronchial and mediastinal;
 - (c) hepatic; and
 - (d) mesenteric.

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PART III

Additional Instructions as to Method of Inspection for Evidence of Tuberculosis in Bovines and Swine

1. All organs and viscera and the associated lymph glands shall be examined for evidence of tuberculosis both in the substance and in the covering membranes (capsules). *The existence of tuberculosis in the lymph gland of an organ shall be held to be evidence of the disease in the organ.*

2. The carcass lymph glands shall be examined in accordance with the following instructions (the glands in every case being exposed before examination, and incised):

- (a) when visible evidence of tuberculosis is found in a carcass or in the organs or viscera, those glands which, having regard to such visible evidence, are least likely to be infected shall be examined first, e.g., if evidence of tuberculosis is found on the pleura, the glands of the hindquarters shall be examined before those of the forequarters;
- (b) if a tuberculous lesion or an abscess is found in any carcass lymph gland, all the other carcass lymph glands shall be examined;
- (c) if evidence of tuberculous disease is found on a serous membrane (pleura or peritoneum), all the carcass lymph glands shall be examined;
- (d) if the throat glands (retro-pharyngeal, submaxillary or parotid) are affected with tuberculosis, the cervical, pre-pectoral and pre-scapular glands shall be examined;
- (e) if the bronchial and/or mediastinal glands are affected with tuberculosis, the pre-pectoral, supra-sternal, pre-scapular, intercostal and xiphoid glands shall be examined;
- (f) if the liver and/or the associated lymph glands (hepatic) are affected with tuberculosis, all the carcass lymph glands shall be examined;
- (g) if the bowel glands (mesenteric) are affected with tuberculosis, the superficial inguinal (or supramammary), the lumbar, renal, iliac and pre-crural glands shall be examined;
- (h) if the uterus is affected with tuberculosis, the iliac pre-crural, lumbar and sacral glands shall be examined;
- (i) if the penis or the testicles are affected with tuberculosis, the superficial inguinal, iliac, sacral, popliteal and pre-crural glands shall be examined;
- (j) if tuberculous lesions are found in the bones, joints, limbs or the spinal cord, all the carcass lymph glands shall be examined;
- (k) if the submaxillary gland in a pig is affected with tuberculosis, the carcass shall be split and all the carcass lymph glands shall be examined;
- (l) the carcass of a pig in which lesions of tuberculosis are found in any situation or in any degree shall be split and the bones of the vertebrae examined and all the carcass lymph glands shall be examined.

THIRD SCHEDULE

(Regulation 27)

INSTRUCTIONS TO MEAT INSPECTORS AS TO ACTION TO BE TAKEN IN THE EVENT OF EVIDENCE OF DISEASE OR ABNORMALITY BEING FOUND IN ANY ANIMAL

PART I



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Evidence of Tuberculosis

1. An organ shall be seized when tuberculosis exists on its capsule, or in its substance, or in the associated lymph glands.
2. The head, including the tongue, shall be seized-
 - (a) when the retro-pharyngeal, parotid and submaxillary glands, or any two of these, are affected;
 - (b) when the retro-pharyngeal gland alone in bovines, or the submaxillary gland alone in swine, is affected, unless the lesions are small, inactive and calcareous, and the gland is not enlarged, in which case the head shall be passed, after removal of the glands, the base of the tongue, and the pharynx with the structures in its immediate neighbourhood.
3. The entire carcass, and all the organs and viscera, shall be seized when the following conditions are found:
 - (a) tuberculosis with emaciation;
 - (b) generalized tuberculosis.

In determining whether the disease is generalised, the judgment shall be based on the sum of the evidence of disease throughout the entire carcass and organs. The following shall be regarded as evidence of this condition:

- (i) miliary tuberculosis of both lungs, with any evidence of tuberculosis elsewhere;
 - (ii) where lesions are multiple, acute and actively progressive;
 - (iii) where there is multiple and widespread infection of the carcass lymph glands;
 - (iv) where there are diffuse acute lesions of both serous membranes (pleura and peritoneum) and any of the carcass lymph glands are enlarged or contain visible tuberculous lesions;
 - (v) where, in addition to the presence of tuberculous lesions in the respiratory and digestive tracts, there are also lesions present in the substance of any two of the following:-spleen, kidney, udder (or uterus or ovary), testicle, brain and spinal cord or their membranes;
 - (vi) congenital tuberculosis in calves.
4. All cases of tuberculosis not included in paragraph 3 shall be regarded and treated as localised lesions, and the parts containing the lesions and contiguous thereto shall be seized.

In the application of this paragraph, in cases of widespread infection that do not fall within the category of generalised tuberculosis as laid down in paragraph 3, the rump or rumps shall be seized only when lesions exist in the popliteal gland, and the shoulder blade or shoulder blades shall be seized only when lesions exist in the pre-scapular or brachial glands.

5. If any portion of a carcass, or any organ or viscera, becomes contaminated by tuberculous material, it shall be treated as if it were a case of localised tuberculosis.

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Evidence of other Disease or Abnormality

1. The entire carcass and all the organs and viscera shall be seized if evidence of any of the following diseases is found:

- (1) Actinomycosis, generalised.
- (2) Anaemia (if pronounced).
- (3) Anthrax.
- (4) Blackleg.
- (5) Bruising, general, extensive, and severe, with or without gangrene.
- (6) *Cysticercus cellulosae* (measly pork).

Note.-In the examination of all pig carcasses, the "leaf seam" (sub-peritoneal fat) shall be raised and the inner surface of the abdominal muscles examined for evidence of *Cysticercus cellulosae*.

- (7) Decomposition.
- (8) Dropsy, general.
- (9) Emaciation, general pathological.
- (10) Fever.
- (11) Glanders (or Farcy).
- (12) Immaturity (*i.e.* stillborn or unborn carcass).
- (13) Jaundice.
- (14) Lymphadenitis, caseous (generalised).
- (15) Malignant catarrh.
- (16) Malignant neoplasms-unless localised, in situation and effect, to one organ.
- (17) Mammitis, acute septic or gangrenous.
- (18) Melanosis, generalised-or any generalised pigmentation.
- (19) Metritis, acute septic.
- (20) Odour, associated with disease or otherwise prejudicial to health.
- (21) Pericarditis, septic.
- (22) Pneumonia, septic or gangrenous.
- (23) Pyaemia-including joint-ill, or umbilical pyaemia.
- (24) Rickets, with malnutrition.
- (25) Sarcocysts-if generalised in the musculature and visible to the naked eye.
- (26) Septicaemia, or septic infection.
- (27) Swine erysipelas, acute.
- (28) Swine fever.
- (29) Tetanus.
- (30) Trichinosis.
- (31) Tumours, multiple, in musculature.
- (32) Uraemia.

2. (1) Every Meat Inspector finding evidence of bladderworm disease (measles) in a slaughtered animal during examination shall make the following additional examination of such animal:

- (a) Head-inspection incisions into inner and outer muscle of jaw.
- (b) Tongue-inspection of surface and incisions into the muscles of attachment and tongue proper.
- (c) Pluck-examination of heart and oesophagus.
- (d) Stomach and intestines-examination of the outer surface of stomach and intestines.
- (e) Carcass-inspection incisions into each side of the carcass.
Muscles of shoulder behind the elbow-7 incisions.
Chuck (by which is understood the muscles on the dorsal aspect of the thoracic cavity)-1 incision.

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3. In all cases in which evidence of diseases not enumerated in paragraphs 1 and 2 are found, the organ or portion of the carcass (or organs or portions of the carcass) affected by the disease, and the organs or portions contiguous thereto, shall be seized.

FOURTH SCHEDULE

(Regulation 31)

LOCAL AUTHORITY OF.....

THE PUBLIC HEALTH (MEAT, ABATTOIR AND BUTCHERIES) REGULATIONS

NOTIFICATION OF SEIZURE OF CARCASS, ETC.

To.....

Take notice that in accordance with regulation 29 of the above-named Regulations I have seized the following for the reasons stated:

| Article Seized | Reason for Seizure |
|----------------|--------------------|
| | |

If you wish voluntarily to surrender the above articles as provided for in regulation 32, you should sign your name to the following declaration and return this paper to me.

Date.....

Signature of Meat Inspector.....

Being the owner thereof, I voluntarily surrender to the Meat Inspector the seized meat mentioned above.

Date.....

Signature of Owner.....

For use by M.O.H. or V.O. Delete either (a) or (b).

Having examined the above-mentioned seized meat I certify that in my opinion it is:

(a) "Fit for the food of man" (Regulation 34).

(b) "Diseased or unsound or unwholesome and unfit for use as the food of man" (Regulation 35).

Date.....

Signature of M.O.H. or V.O.....

FIFTH SCHEDULE

(Regulation 39)

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CONDITIONS UNDER WHICH CARCASSES AND MEAT MAY BE BROUGHT INTO THE AREA OF A LOCAL AUTHORITY

1. The carcasses of pigs shall be brought for inspection whole with the head attached and shall be accompanied by all the viscera excepting the stomach, intestines and urinary bladder.
2. The carcasses of calves, sheep, lambs and goats shall be brought for inspection whole, but the head may be detached provided that it be distinctly marked so as to be easily identified with the carcass to which it belongs, and shall be accompanied by all the viscera excepting the stomach, intestines and urinary bladder.
3. The carcasses of bulls, oxen, bullocks, cows, heifers or steers shall be brought for inspection whole or halved or quartered with the heads detached provided that in every case of halving, quartering or detachment of the head the several portions of each divided carcass are brought for inspection distinctly marked in such a way that they are easily identifiable as having been derived from the same animal and every carcass whether divided or whole shall be accompanied by all the viscera, except the stomach, intestines and urinary bladder.

(As amended by No. 136 of 1957)

SIXTH SCHEDULE

(Regulation 42)

REQUIREMENTS AS TO VEHICLES USED FOR THE CONVEYANCE OF MEAT WITHIN OR INTO ANY AREA OF WHICH THE REGULATIONS HAVE BEEN APPLIED

1. That part of the vehicular body actually used for the conveyance of meat shall be of van type totally enclosed, and braced with iron where necessary to form a rigid whole, and shall be made fly proof, dust proof and weather proof.
2. The interior lining of the floor and walls of the part used to contain meat shall be made of galvanised iron smoothly fitted and soldered at the joints.
3. A proper close-fitting hinged door or doors shall be provided.
4. The side walls or door or doors shall be provided with louvred vents or openings totalling not less than 0.1858 square metres in area. Such opening or openings shall be completely covered with wire gauze of not less than 10 meshes to 2.54 centimetres.
5. A movable duck board or grid shall be provided of the full size of the floor of that part of the vehicle actually used for the conveyance of meat, upon which the meat may rest when the vehicle is loaded.
6. Every vehicle used for the conveyance of offal simultaneously with other meat shall be provided with a sufficient number of watertight vessels of enamelled or galvanised metal, each having a close-fitting lid, within which uncleaned offal and cleaned offal may be separately placed.

(As amended by No. 45 of 1966)

REGULATION 2 OF THE PUBLIC HEALTH (MEAT, ABATTOIR AND BUTCHERIES)
REGULATIONS-APPLICATION

Notices by the Minister

The whole of the Regulations apply to-

City of Lusaka. *(No. 47 of 1953)*

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City of Kitwe.(No. 47 of 1953)

Bancroft Mine Township.(No. 313 of 1969)

Broken Hill Mine Township.(No. 268 of 1940)

Chingola Municipality.(No. 192 of 1946)

Chipata Township.(No. 63 of 1941)

Choma Township.(No. 231 of 1952)

Kabwe Municipality.(No. 47 of 1953)

Kafue Township.(No. 86 of 1952)

Livingstone Municipality.(No. 268 of 1940)

Luanshya Municipality.(No. 47 of 1953)

Mufulira Mine Township.(No. 268 of 1940)

Mufulira Municipality.(No. 47 of 1953)

Nchanga Mine Township.(No. 277 of 1949)

Nkana Mine Township.(No. 268 of 1940)

Roan Mpatamatu Mine Township.(No. 268 of 1940)

That part of the Kitwe District lying within a circle of four miles' radius with its centre at Kitwe Post Office.

(No. 268 of 1940)

That part of the Chingola District lying within a circle of five miles' radius with its centre at Chingola Post Office, excluding therefrom-

(a) Chingola Municipality; and

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(b) Nchanga Mine Township.

(No. 277 of 1949 as amended by Act No. 39 of 1952)

That part of the Kabwe Urban District lying within a circle of ten miles' radius having its centre at the Kabwe Post Office.

(No. 240 of 1955)

The whole of the Regulations, other than regulations 4,8,28 and 39, apply to-

Kalomo Township.(No. 44 of 1956)

Kasama Township.(No. 72 of 1955)

Mansa Township.(No. 72 of 1955)

Mazabuka Township.(No. 268 of 1940)

Mbala Township.(No. 22 of 1950)

Mongu Township.(No. 103 of 1967)

Monze Township.(No. 212 of 1961)

*(8)Mumbwa.(No. 152 of 1955)

* A description of the area of this former township is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

Pemba Township.(No. 164 of 1961)

*A description of the area of this former township is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

THE PUBLIC HEALTH (MILK) REGULATIONS

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ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Application of Regulations
3. Interpretation
4. Premises to be registered
5. Certificate of registration
6. Application for certificate
7. Conditions to be complied with
8. Safeguards
9. Storage of milk
10. Licensing of purveyor of milk
11. Production of licence
12. Form of licence
13. Application for licence
14. Change of circumstances
15. Medical fitness of applicant
16. Cleanliness
17. Sickness
18. Occurrence of infectious or contagious disease
19. Suspected spread of disease
20. Prohibition of dealings with milk and milk products
21. Milk *prima facie* for human consumption
22. Adulterated milk
23. Obstruction of officers
24. Penalties
25. Milk other than cows' milk
26. Exemption

FIRST SCHEDULE-Prescribed forms

SECOND SCHEDULE-Standards of composition and quality of milk

THIRD SCHEDULE-Pasteurised milk

FOURTH SCHEDULE-Phosphatase test

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SECTIONS 82 AND 114-THE PUBLIC HEALTH (MILK) REGULATIONS

Regulations by the Minister

Government Notices
 79 of 1951
 177 of 1954
 291 of 1964
 497 of 1964
Federal Government Notices
 160 of 1961
Act No.
 51 of 1963
Statutory Instruments
 344 of 1965
 215 of 1966
Act No.
 13 of 1994

1. These Regulations may be cited as the Public Health (Milk) Regulations.

Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only to such part of the area of any Local Authority as shall be defined in such notice.

Application of Regulations

(As amended by No. 291 of 1964)

3. In these Regulations, unless the context otherwise requires-

Interpretation

"licence" means a licence granted under regulation 10;

"milk" means the normal fresh secretion of the cow's udder without addition or subtraction of any kind whatever;

"milk shop" means any premises (other than premises registered under the provisions of the Dairies and Dairy Produce Regulations or exempted from registration by the provisions of these Regulations), from which milk is supplied otherwise than in receptacles which have been properly closed and sealed prior to delivery to the premises and which remain properly closed and sealed during the whole time from their delivery to the premises until their removal therefrom;

Cap. 235

"pasteurised milk" means milk which has been subjected to a special treatment of pasteurisation prescribed in the Third Schedule;

"purveyor of milk" means any person in possession or occupation of or keeping any milk or shop or who sells milk for human consumption:

Provided that no person shall be deemed to be a purveyor of milk-



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- (i) if he supplies milk solely to premises registered under the provisions of the Dairies and Dairy Produce Regulations or to premises registered under the provisions of these Regulations; or
- (ii) if his trade in milk is carried on in premises registered under the provisions of the Dairies and Dairy Produce Regulations and is solely in connection with the manufacture of butter, cheese or other dairy products approved by the Director of Medical Services.

Cap. 235

(As amended by No. 177 of 1954, Acts No. 51 of 1963, No. 344 of 1965 and No. 215 of 1966)

4. Premises within the area of the Local Authority shall be used as a milk shop unless such premises have been first registered under these Regulations by such Local Authority.

Premises to be registered

5. Every certificate of registration of any premises as a milk shop issued under these Regulations shall be in Form 1 in the First Schedule and shall expire on the 31st December of the year for which it shall have been granted.

Certificate of registration

6. Every person desiring a certificate of registration of premises as a milk shop under these Regulations shall make application in writing to the appropriate Local Authority and shall supply the following information:

Application for certificate

- (a) the name and address of the applicant;
- (b) the situation of the premises in respect of which the certificate of registration is desired;
- (c) a full description and particulars of the premises;
- (d) the source of the applicant's milk supply; and
- (e) any other relevant information required by the Local Authority or Medical Officer of Health.

7. No certificate of registration of any premises as a milk shop shall be granted by the Local Authority unless the premises are in the opinion of the Local Authority, on the report of the Medical Officer of Health, suitable for registration in respect of drainage, lighting, ventilation, locality, construction and general sanitation and unless the requirements of these Regulations and all such other regulations, orders or rules as may be applicable to such premises are complied with.

Conditions to be complied with



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8. No certificate of registration of any premises as a milk shop under these Regulations shall be granted by the Local Authority unless, within a period specified in the certificate after the issue thereof, there shall at all times during the currency thereof be provided and maintained-

Safeguards

- (a) a wholesome and conveniently accessible water supply in sufficient quantity for all purposes connected with the business including the cleaning of all utensils and appliances;
- (b) when so required by the Local Authority, an impervious floor to the whole of or to any part of such premises, constructed to the satisfaction of the Local Authority;
- (c) proper and sufficient arrangements for safeguarding the milk from contamination by flies, vermin, dust or any impurities;
- (d) suitable arrangements for the washing, and storage when not in use, of the receptacles used in the business;
- (e) suitable arrangements for the sterilising by steam or boiling water of all bottles, cans and other receptacles used in the business; and
- (f) for persons employed in the premises-
 - (i) suitable and sufficient sanitary and ablution accommodation;
 - (ii) a change room with soap and towels; and
 - (iii) suitable white overalls.

9. Milk intended for sale shall not be deposited, kept or stored upon registered premises-

Storage of milk

- (a) in any room or place where such milk would be liable to infection or contamination;
- (b) in any room used as a kitchen, living, sleeping, work or change room;
- (c) in any room or building communicating directly with any sanitary convenience or with any room used as a sleeping room;
- (d) in any milk vessel not properly covered so as effectually to prevent the contamination of the milk contained therein;
- (e) in any milk vessel which has not been thoroughly cleaned and sterilised since the last occasion of use and which is not in a thoroughly clean condition at the time of use.

10. No person shall within the area of the Local Authority be a purveyor of milk without being first licensed by such Local Authority. A person who is a purveyor of milk within the area of more than one Local Authority shall be required to be licensed by each and every Local Authority within whose area he purveys milk:

Licensing of purveyor of milk

Provided that, notwithstanding anything contained in these Regulations, a person may convey milk through the area of such Local Authority without being licensed as aforesaid where such person shall prove to the satisfaction of such Local Authority that the milk so conveyed is not for sale and is not intended for sale within the area of such Local Authority.

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11. Every licensed purveyor of milk shall exhibit in his place of business or carry upon his person his licence as a purveyor of milk whilst in any manner engaged in his business as a purveyor of milk and shall, on request made to him by the Medical Officer of Health, Sanitary Inspector or any duly authorised officer of the Local Authority, produce his licence as a purveyor of milk.

Production of licence

12. (1) Every licence granted to any person as a purveyor of milk under these Regulations shall be in Form 2 in the First Schedule and shall expire on the 31st December of the year for which it shall have been granted.

Form of licence

(2) No licence as a purveyor of milk shall in any case be transferable from the licensee to any other person and such licence shall only be valid in the area of the Local Authority by whom it was granted.

13. Every person desiring a licence under these Regulations shall make personal or written application to the Local Authority within whose area he intends to purvey milk and shall supply the following information:

Application for licence

- (a) his name, address and occupation;
- (b) the name and address of the person (if any) by whom he is employed or to be employed as a purveyor of milk;
- (c) the source of the milk supply;
- (d) the name and address of the person (if any) from whom the applicant intends to purchase his milk supply; and
- (e) any other relevant information required by the Medical Officer of Health.

14. (1) Every licensed purveyor of milk shall, if any of the following circumstances occur, at once report the same to the Local Authority or Authorities by whom his licence was issued:

Change of circumstances

- (a) any change of employer;
- (b) any change from the condition of a purveyor of milk as an employee to that of a purveyor of milk on his own account or *vice versa*;
- (c) any change in source of supply.

(2) On such report the Local Authority shall cause the licence to be endorsed accordingly.

15. No licence shall be issued by the Local Authority to any applicant where the Medical Officer of Health shall have certified in writing that the applicant is not a fit and suitable person on medical grounds to be a purveyor of milk, or where such applicant shall have refused to submit himself for medical examination when so required by the Medical Officer of Health.

Medical fitness of applicant



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16. Every purveyor of milk shall ensure that when he himself or when on his behalf any other person handles, conveys, distributes, delivers, or sells milk he shall be clean as to his hands, person and clothing whilst so employed or engaged, and he shall further ensure that every vehicle or carrier used for the purposes of his trade or business as a purveyor of milk shall be kept in a thoroughly clean condition and in such a manner that it shall not lead to the contamination or infection of the milk carried or conveyed therein. Such vehicle or carrier shall be conspicuously inscribed with the name and address of the purveyor or of his employer.

Cleanliness

17. Every purveyor of milk shall by inquiry keep himself informed of any sickness occurring amongst his employees or in any premises in which he or his employees reside and it shall not be lawful for any purveyor of milk-

Sickness

- (a) knowingly to allow any person suffering from any contagious or infectious disease or who is living in any premises in which there is a case of contagious or infectious disease or who has recently been in contact with a person so suffering to take part in the trade or business of a purveyor of milk or to enter any milk shop; or
- (b) if he himself is so suffering or has recently been in contact with an infected person or living in any infected premises as aforesaid to take part in the trade or business of a purveyor of milk or to enter any milk shop until in each case all danger there-from of the communication of infection to the milk or of its contamination has in the opinion of the Medical Officer of Health ceased.

18. Every purveyor of milk shall immediately inform the Medical Officer of Health of each Local Authority by whom he is licensed of the occurrence of any infectious or contagious disease amongst any persons residing or engaged or employed upon his registered premises or amongst any of his employees, and shall comply with all requirements of the Medical Officer of Health for disinfecting the premises and preventing the spread of such diseases.

Occurrence of infectious or contagious disease

19. Whenever the Medical Officer of Health of the district of any Local Authority to which these Regulations have been applied shall be of the opinion that the outbreak or spread of any sickness or disease within his district may be attributable to milk sold or purveyed or distributed by any purveyor of milk, such purveyor shall, on being required in writing by the Medical Officer of Health, furnish forthwith-

Suspected spread of disease

- (a) a full and complete list of the names and addresses of the customers or persons supplied with such milk by such purveyor of milk; and
- (b) a full and complete list of the names and addresses of the persons from whom and of the situation of the places from which, during a period to be specified by the Medical Officer of Health, the milk or any part of the milk sold or distributed by such purveyor of milk was obtained.

20. If it appears to the Local Authority, on the certificate of the Medical Officer of Health, that the consumption of any milk or milk products from any source within or outside the district of such Local Authority is likely to cause the outbreak of or to spread infectious or contagious disease, such Local Authority may forthwith prohibit the introduction or storage or sale or use within its district of such milk or milk products for a period to be specified by such Local Authority on the advice of the Medical Officer of Health.

Prohibition of dealings with milk and milk products

21. Any milk found in the possession of any purveyor of milk or in any milk shop or in any bottle or carrier or milk vessel in the possession of any purveyor of milk shall be deemed to be intended for sale for human consumption until the contrary shall have been proved to be the case by such purveyor.

Milk *prima facie* for human consumption

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22. (1) No person shall sell, cause to be sold, or expose, deposit, convey, or cause to be exposed, deposited, or conveyed, for the purpose of sale or deliver or cause to be delivered for or in the process of sale any milk or fluid described as milk which is not genuine, clean, pure, wholesome and free from contamination and pollution or which is in such a state or condition as to be liable to be injurious or dangerous to the health of man or from which any ingredient or part thereof has been abstracted or to which any water or any preservative or other matter or ingredient has been added or which does not comply with the provisions of regulation 3 and the Second Schedule when sold as "cows' milk" or "pasteurised milk" respectively.

Adulterated milk

(2) On analysis by a Government analyst or by a Government bacteriologist or other person approved by the Director of Medical Services, the fact that any milk is found to be not in accordance with the provisions of this regulation it shall be presumed until the contrary is proved that such milk is not genuine or is injurious to health.

(As amended by No. 177 of 1954, Act No. 51 of 1963, No. 344 of 1965 and No. 215 of 1966)

23. Any person who wilfully obstructs the Medical Officer of Health, Sanitary Inspector or any other duly authorised officer in the performance of his duties under these Regulations shall be guilty of an offence.

Obstruction of officers

24. (1) Any person who contravenes any of these Regulations shall be guilty of an offence and shall be liable to a fine not exceeding seven hundred and fifty penalty units.

Penalties

(2) On the conviction of any licensed purveyor of milk for an offence under these Regulations the court may, on the application of the Local Authority, cancel his certificate of registration or licence, as the case may be, and order that no new certificate or licence shall be granted under these Regulations to such person for a period not exceeding two years from the date of such cancellation and thereupon such person shall become disqualified to hold a certificate or licence during such period of cancellation.

(As amended by Act No. 13 of 1994)

25. The foregoing Regulations shall *mutatis mutandis* apply to the sale, production, collection, storing, keeping, preparation, delivery, conveying, transmission, or exposure for sale of milk intended for human consumption from any animal other than a cow.

Milk other than cows' milk

26. Hotels and lodging-houses where milk is kept or prepared solely for the use of customers on the premises shall be exempted from the provisions of these Regulations which relate to the registration of premises, and persons so keeping and preparing milk shall not be required to be licensed as purveyors of milk.

Exemption

FIRST SCHEDULE

PRESCRIBED FORMS

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FORM 1
(Regulation 5)

THE PUBLIC HEALTH REPUBLIC OF ZAMBIA
Municipality/Township of (MILK) REGULATIONS.....Number.....
.....

CERTIFICATE OF REGISTRATION OF PREMISES AS A MILK SHOP

The premises numbered.....on plot number.....in the Municipality/Township of
.....
are hereby registered as a milk shop.
This certificate of registration expires on 31st December, 19.....
Date.....

Signed: Town Clerk/Secretary.....
Medical Officer of Health.....



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FORM 2
(Regulation 12 (1))

REPUBLIC OF ZAMBIA
THE PUBLIC HEALTH (MILK) REGULATIONS.....Number.....
Municipality/Township of

LICENCE AS A PURVEYOR OF MILK

.....of.....is hereby licensed as a purveyor of milk
within the Municipality/Township of.....

This certificate of licence expires on 31st December, 19.....

Delete whichever is not required Purveyor on own account.
Employee of.....

Date.....

Signed:

Town Clerk/Secretary.....

Medical Officer of Health.....



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SECOND SCHEDULE

(Regulation 22 (1))

STANDARDS OF COMPOSITION AND QUALITY OF MILK

1. When milk is sold as cow's milk-
 - (a) it shall not be subjected to any form of physical or chemical treatment except cooling;
 - (b) it shall contain-
 - (i) not less than 3 per centum of milk fat;
 - (ii) not less than 8.5 per centum of milk solids not fat;
 - (c) it shall not contain-
 - (i) any faecal coli in 0.01 ml.;
 - (ii) any pathogenic organisms.
2. When milk is sold as pasteurised milk-
 - (a) it shall contain-
 - (i) not less than 3 per centum of milk fat;
 - (ii) not less than 8.5 per centum of milk solids not fat;
 - (b) it shall not contain-
 - (i) any coliform organisms in 0.01 ml.;
 - (ii) any pathogenic organisms;
 - (c) it shall have been subjected to the treatment prescribed in the Third Schedule and shall satisfy the requirements of the phosphatase test as prescribed in the Fourth Schedule.

(F.G.N. No. 160 of 1961 as amended by No. 344 of 1965 and No. 215 of 1966)

THIRD SCHEDULE

(Regulation 3)

PASTEURISED MILK

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1. Pasteurisation of milk shall mean that milk shall be raised to a temperature of between 75.4°C. and 78°C. and held at that temperature for a period of thirty minutes and shall be cooled immediately to a temperature of not more than 28.6°C. and held at or below that temperature until the milk is bottled or placed in approved containers or shall be raised to a temperature of between 84.24°C. and 86.84°C. and retained at that temperature for at least fifteen seconds and shall be cooled immediately to a temperature of not more than 28.6°C. and held at or below that temperature until the milk is bottled or placed in approved containers.
2. All reasonable precautions shall be taken to prevent contamination between the time of pasteurisation and bottle filling.
3. On a sample being taken after pasteurisation and before delivery to the consumer the milk shall satisfy the phosphatase test, as prescribed in the Fourth Schedule.
4. The milk must not be heated more than once and must not otherwise be treated by heat.
5. An indicating thermometer and a recording thermograph must be inserted in a suitable place in the apparatus used for the pasteurising process. The type of apparatus and the methods employed must be such as are approved by the Director of Medical Services.
6. All practicable steps shall be taken to clean and sterilise all piping, tanks and apparatus immediately after each completed pasteurisation operation, and to exclude air during the pasteurisation of the milk.
7. No person shall apply the designation "pasteurised milk" to any milk unless such milk has been subjected to the treatment of pasteurisation prescribed in this Schedule.
8. No person shall apply any other special designation to milk unless details of the production and treatment of such milk have first been submitted in writing to the Director of Medical Services and his approval in writing to the use of such special designation has been obtained.

(As amended by No. 177 of 1954 and Act No. 51 of 1963)

FOURTH SCHEDULE

(Second and Third Schedules)

PHOSPHATASE TEST

The phosphatase test shall be carried out in accordance with the instructions given below. Such tests shall be deemed to be satisfied by milk giving a reading of 2.3 Lovibond blue units or less.

METHOD OF PERFORMING THE TEST

Reagents

Buffer-substrate solution must be prepared at the strength of 1.09 gm. of disodium phenyl phosphate and 11.54 gm. of sodium diethyl barbiturate in 1 litre of distilled water saturated with chloroform. Alternatively, buffer-substrate tablets may be used to make up a solution of the same strength and a few drops of chloroform added. The solutions must be kept in a cool, dark place and must not be kept longer than three days.

Test reagent: Add 1 volume of Folin and Ciocalteau's Reagent to 2 volumes of a 5 per centum solution of sodium hexameta-phosphate.

METHOD OF CARRYING OUT THE TEST

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To 10 ml. of the buffer-substrate solution contained in a test tube, add 0.5 ml. of well-mixed milk. Add 3 drops of chloroform, stopper the tube, mix the contents and incubate at 37+ 1 degree C, for 24+2 hours. At the end of this time, cool, add 4.5 ml. of the test reagent, mix, allow to stand for 3 to 5 minutes, and filter into a test tube marked at 10 ml. of the filtrate, add 2 ml. of a 14 per centum solution of pure anhydrous sodium carbonate, mix and place the test tube for exactly 2 minutes in boiling water (kept boiling). Cool and read the colour, using comparator or tintometer.

Control tests

Keep the remainder of all milk samples in the refrigerator. *After completing the test* carry out the control tests on those samples which have given a positive phosphate reaction.

Mix thoroughly to 10 ml. of the buffer-substrate solution with 4.5 ml. of the test reagent, add 0.5 ml. of milk and mix. Allow to stand 3 to 5 minutes and filter into a test tube marked at 10 ml. To 10 ml. of the filtrate, add 2 ml. of the sodium carbonate solution, mix and place the tube for exactly 2 minutes in a boiling water-bath (kept boiling). Cool and read the colour developed. The colour must not exceed 1.5 Lovibond blue units.

Precautions

- (a) Phenols, disinfectants containing phenols, and soap containing carbolic acid must be kept at a safe distance from the test reagents and apparatus;
- (b) the use of bottle caps made from phenolic resins must be avoided;
- (c) new rubber stoppers must be tested for phenolic impurities before use;
- (d) all glassware must be clean;
- (e) contamination of pipettes by saliva must be avoided;
- (f) a fresh pipette must be used for each sample of milk;
- (g) all reagents must be kept in a cool, dark place and well protected from dust;
- (h) tests must not be carried out in direct sunlight;
- (i) freshly boiled distilled water must be used throughout;
- (j) samples which show a taint or clot on boiling must not be tested.

TEST OF REAGENTS

The purity of the reagents must be tested by performing a blank test without milk, with each batch of samples tested. The colour must not exceed 0.5 Lovibond blue units.

REGULATION 2 OF THE PUBLIC HEALTH (MILK) REGULATIONS-APPLICATION

Notices by the Minister

The whole of the Regulations apply to-

City of Lusaka.(No. 47 of 1953)

City of Kitwe.(No. 47 of 1953)

City of Ndola.(No. 54 of 1952)

Bancroft Mine Township.(No. 315 of 1969)

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Chingola Municipality.(No. 309 of 1951)

Choma Township.(No. 309 of 1951)

Kabwe Municipality.(No. 47 of 1953)

Kafue Township.(No. 309 of 1951)

Livingstone Municipality.(No. 15 of 1956)

Luanshya Municipality.(No. 47 of 1953)

Mazabuka Township.(No. 309 of 1951)

Mbala Township.(No. 166 of 1965)

Mongu Township.(No. 108 of 1967)

Mufulira Mine Township.(No. 54 of 1967)

Mufulira Municipality.(No. 47 of 1952)

Nchanga Mine Township.(No. 309 of 1951)

Nkana Mine Township.(No. 309 of 1951)

Roan Mpatamatu Mine Township.(No. 309 of 1951)

The whole of the Regulations, other than regulations 4, 5, 6, 7, 8 and 9, apply to-

Chipata Township.(No. 190 of 1952)

Mansa Township.(No. 260 of 1961)

THE PUBLIC HEALTH (ICE-CREAM) REGULATIONS

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ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Application of Regulations
3. Interpretation
4. Registration of premises
5. Form of certificate of registration
6. Application for registration of premises
7. Premises must be suitable for registration
8. Safeguards
9. Storage of ice-cream, water ices and ingredients
10. Manufacture of ice-cream and water ices
11. Street traders, etc., to be licensed
12. Manufacturer or dealer to give notice of milk-borne disease
13. Prohibition of ice-cream, etc., likely to spread disease
14. Obstruction of officer
15. Prohibition of sale as ice-cream or water ices of other substances
16. Penalties
17. Exemption

SCHEDULE-Prescribed forms

SECTION 82-THE PUBLIC HEALTH (ICE-CREAM) REGULATIONS

Regulations by the Minister

Government Notices
314 of 1953
253 of 1956
291 of 1964
Federal Government
Notice
156 of 1962
Act No.
13 of 1994

1. These Regulations may be cited as the Public Health (Ice-cream) Regulations. Title
2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only to such part of the area of any Local Authority as shall be defined in such notice. Application of Regulations

(As amended by No. 291 of 1964)
3. In these Regulations, unless the context otherwise requires- Interpretation

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"complete cold mix" means a product which is capable of manufacture into ice-cream or water ice with the addition of water only, is sent out by the manufacturer in airtight containers and which has been made by evaporating a liquid mixture which has already been submitted to heat treatment comparable with that prescribed in these Regulations;

"ice-cream" means a preparation of milk or milk products and other wholesome ingredients containing not less than eight per centum by weight of milk fats, ten per centum by weight of sugar and not less than thirty per centum by weight of total solids, including milk fats and sugar, and one Imperial gallon of such ice-cream shall weigh not less than five and a half Imperial pounds when frozen and in the form in which it is sold to the public. The bacterial content shall be not more than 200,000 organisms per cubic centimetre and no Coliform bacilli or any pathogenic organisms shall be present in a sample of 0.01 cubic centimetre;

"ingredients" means wholesome food articles usually or normally used for human consumption and includes sugar and dried egg, but does not include colouring or flavouring materials or fruit or fruit juices, nuts, chocolate or other similar substances;

"milk-borne diseases" includes enteric fever (including typhoid and paratyphoid fevers), dysentery, diphtheria, scarlet fever, acute inflammation of the throat, gastro enteritis and undulant fever;

"water ices" means all other preparations manufactured in a similar manner to ice-cream and sold to the public in a frozen or semi-frozen state, whether resembling ice-cream or not; and when resembling ice-cream in appearance or consistency, containing not less than six per centum by weight of milk fat and not less than eight per centum by weight of milk solids not fat. The bacterial content of all water ices shall be not more than 200,000 organisms per cubic centimetre and no Coliform bacilli or any pathogenic organisms shall be present in a sample of 0.01 cubic centimetre.

(As amended by F.G.N. No. 156 of 1962)

4. (1) Subject to the provisions of regulation 12, no premises shall be used for the sale, storage for sale, or manufacture for sale for human consumption of ice-cream or water ices unless such premises have been registered for that purpose by the Local Authority.

Registration of premises

(2) The Local Authority may register premises for the sale or storage for sale of ice-cream or water ices when such ice-cream or water ices are brought to the premises in a suitable wrapping or container and sold from or stored in approved refrigerating appliances.

(3) Where a certificate of registration for the sale or storage for sale of ice-cream or water ices is granted under the conditions prescribed in sub-regulation (2), the Local Authority may dispense with such provisions of these Regulations as it may deem proper.

5. Every certificate of registration of any premises for the sale, storage for sale or manufacture for sale of ice-cream or water ices issued under these Regulations shall be in Form 1 in the Schedule and shall expire on the 31st December of the year for which it shall have been granted.

Form of certificate of registration

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6. Every person desiring to have premises registered under these Regulations shall make application in writing to the appropriate Local Authority and shall supply the following information: Application for registration of premises

- (a) the name and address of the applicant;
- (b) the situation of the premises in respect of which the certificate of registration is desired;
- (c) a full description and particulars of the premises;
- (d) the source or sources of ingredients including fresh milk to be used by the applicant for the manufacture of ice-cream or water ices;
- (e) any other relevant information required by the Local Authority or Medical Officer of Health.

7. No certificate of registration shall be granted in respect of any premises under these Regulations unless the premises are, in the opinion of the Local Authority on the report of the Medical Officer of Health, suitable for registration in respect of drainage, lighting, ventilation, locality, construction and general sanitation and unless the requirements of these Regulations and all such other regulations, orders or rules as may be applicable to such premises are complied with. Premises must be suitable for registration

8. A certificate of registration granted in respect of any premises under these Regulations may be revoked at any time if during the currency of such certificate there is not provided and maintained in respect of such premises- Safeguards

- (a) a wholesome and conveniently accessible water supply in sufficient quantity for all purposes connected with the business, including the cleaning of all utensils and appliances;
- (b) when so required by the Local Authority, an impervious floor and walls to the whole of or to any part of such premises and constructed to the satisfaction of the Local Authority;
- (c) proper and sufficient arrangements for safeguarding the ice-cream or water ices or ingredients intended for the manufacture of ice-cream or water ices from flies, vermin, dust or any impurities;
- (d) suitable arrangements for the washing, sterilisation by steam or boiling water and storage when not in use of the receptacles and appliances used in the business; and
- (e) for persons employed in the premises-
 - (i) a change room containing suitable ablution facilities with a sufficient supply of hot and cold water, soap and towels; and
 - (ii) suitable and sufficient and reasonably accessible sanitary facilities; and
 - (iii) suitable white overalls.

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9. Ice-cream or water ices intended for sale and any ingredients intended for use in the manufacture of ice-cream or water ices for sale shall not be deposited, kept or stored-

Storage of ice-cream, water ices and ingredients

- (a) in any room or place where such ice-cream, water ices or ingredients would be liable to infection or contamination;
- (b) in any room used as a kitchen, bathroom, lavatory, sleeping, work or change room;
- (c) in any room or building communicating directly with any sanitary convenience or with any room used as a sleeping room;
- (d) in any vessel not properly covered so as effectually to prevent contamination of the contents thereof;
- (e) in any vessel which has not been thoroughly cleansed and sterilised since the last occasion of use and which is not in a thoroughly clean condition at the time of use.

10. The following requirements shall be observed in the manufacture of ice-cream and water ices intended for sale for human consumption:

Manufacture of ice-cream and water ices

- (a) where a complete cold mix is used which is reconstituted with wholesome drinking water and to which nothing is added other than colouring or flavouring materials, fruit or juices, nuts, chocolate or other similar substances, the reconstituted product shall be converted into ice-cream or water ices within one hour of reconstitution;
- (b) in any other case after the ingredients have been mixed together, the following provisions shall apply:
 - (i) the mixture shall not be kept for more than one hour at any temperature which exceeds 23.4 degrees Celsius before being subjected to heat treatment in accordance with sub-paragraph (ii);
 - (ii) the mixture shall be subjected to heat treatment as follows: It shall be raised to and kept at a temperature of not less than 78 degrees Celsius for thirty minutes or alternatively of not less than 83.2 degrees Celsius for ten minutes;
 - (iii) after the mixture has been subjected to heat treatment as aforesaid, it shall be reduced to a temperature of not more than 23.4 degrees Celsius within one and a half hours and shall be kept at such a temperature until the freezing process is begun;
 - (iv) such indicating and recording thermometers shall be used as the Local Authority considers requisite for indicating and recording the temperatures to or at which the ice-cream or water ices are raised, kept or reduced;
 - (v) the records of any thermometers used to record the temperatures to or at which the ice-cream or water ices are raised, kept or reduced shall be preserved for a period of not less than one month;
 - (vi) all apparatus used for the purposes of this paragraph shall be installed, maintained and operated to the satisfaction of the Local Authority and the Medical Officer of Health.

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11. (1) Any person may make application to the Local Authority for a licence to sell ice-cream or water ices in any street or public place within the area of the Local Authority, and any such applicant shall supply the following information:

Street traders, etc., to be licensed

- (a) the name and address of the applicant;
- (b) a full description of the equipment to be used and the manner in which the ice-cream or water ices are to be sold.
- (c) the period for which the licence is required;
- (d) the source from which the ice-cream or water ices are to be obtained.

(2) On receipt of such application a Local Authority may grant a licence in Form 2 in the Schedule with or without special conditions for any period it may deem proper expiring not later than the 31st December of the year in which it is granted.

(3) Ice-cream and water ices sold in any street or public place in accordance with a licence granted under this regulation shall only be sold from a refrigerating appliance approved by the Local Authority and shall only be sold in the wrapping or container in which they were originally placed in such appliance.

12. Every manufacturer or dealer in ice-cream or water ices shall upon the occurrence of any milk-borne disease among the persons living or working in or about the premises on which the ice-cream or water ices are manufactured, stored or sold, forthwith give notice thereof to the Medical Officer of Health or the Local Authority.

Manufacturer or dealer to give notice of milk-borne disease

13. If it appears to the Local Authority, on the certificate of the Medical Officer of Health, that the consumption of any ice-cream or water ices from any source within or without the district of such Local Authority is likely to cause the outbreak of or to spread infectious or contagious disease, such Local Authority may forthwith prohibit the introduction, storage, sale or use within its area of such ice-cream or water ices for a period to be specified by such Local Authority on the advice of the Medical Officer of Health.

Prohibition of ice-cream, etc., likely to spread disease

14. Any person who wilfully obstructs the Medical Officer of Health, Health Inspector, or any other duly authorised officer in the performance of his duties under these Regulations shall be guilty of an offence.

Obstruction of officer

15. No person shall sell, or cause to be sold, or have in his possession for sale, or manufacture for sale, any preparation or substance designated as or purporting to be ice-cream or water ices which does not comply with the definition of ice-cream or water ices contained in regulation 3.

Prohibition of sale as ice-cream or water ices of other substances

(No. 253 of 1956 as amended by F.G.N. No. 156 of 1962)

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16. (1) Any person who contravenes or fails to comply with any of the provisions of these Regulations shall be guilty of an offence and shall be liable to a fine not exceeding seven hundred and fifty penalty units. Penalties

(2) On the conviction of any person under these Regulations the court may, on the application of the Local Authority, cancel any certificate of registration or licence granted under these Regulations to such person and order that no new certificate or licence shall be granted under these Regulations to such persons for a period not exceeding two years from the date of such cancellation and thereupon such persons shall become disqualified to hold a certificate or licence during such period of cancellation.

(As amended by Act No. 13 of 1994)

17. Hotels and lodging-houses where ice-cream or water ices are manufactured or stored solely for the use of customers on the premises shall be exempted from the provisions of paragraph (b) of regulation 10 and such provisions of these Regulations as specifically relate to the registration of premises. Exemption

SCHEDULE

PRESCRIBED FORMS



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FORM 1
(Regulation 5)

THE PUBLIC HEALTH (ICE-CREAM) REGULATIONS

Number.....

Municipality/Township of.....

CERTIFICATE OF REGISTRATION OF PREMISES FOR THE *MANUFACTURE/STORAGE/SALE OF ICE-CREAM OR WATER ICES

The premises known as.....numbered..... on plot.....in the Municipality/Township of.....are hereby registered for the purpose of *manufacture/storage/sale of ice-cream and water ices.

This certificate expires on 31st December, 19.....

Date.....

Signed: Town Clerk/Secretary.....

Medical Officer of Health.....

*Delete where inapplicable.



Ministry of Health



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FORM 2
(Regulation 11)

THE PUBLIC HEALTH (ICE-CREAM) REGULATIONS

Number.....

Municipality/Township of.....

LICENCE TO SELL ICE-CREAM OR WATER ICES IN A STREET OR PUBLIC PLACE

.....of.....is hereby licensed as a purveyor of ice-cream or water ices in the streets or any public place within the Municipality/Township of..... subject to the conditions endorsed hereon.

The licence expires on.....19.....or 31st December, 19....., whichever shall be the sooner.

*Purveyor on own account/Employee of.....

Date.....

Signed: Town Clerk/Secretary.....

Signed: Town Clerk/Secretary.....

Medical Officer of Health.....

*Delete where inapplicable.



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REGULATION 2 OF THE PUBLIC HEALTH (ICE-CREAM) REGULATIONS-APPLICATION

Notices by the Minister

The whole of the Regulations apply to-

City of Lusaka.....(No. 97 of 1954)

City of Kitwe.....(No. 97 of 1954)

City of Ndola.....(No. 97 of 1954)

Bancroft Mine Township.....(No. 316 of 1969)

Chingola Municipality.....(No. 97 of 1954)

Chipata Township.....(No. 97 of 1954)

Choma Township.....
(No. 238 of 1955)

Kabwe Municipality.....(No. 97 of 1954)

Livingstone Municipality.....(No. 97 of 1954)

Luanshya Municipality.....(No. 97 of 1954)

Mazabuka Township.....(No. 97 of 1954)

Mongu Township.....(No. 109 of 1967)

Monze Township.....(No. 329 of 1959)

Mufulira Mine Township.....(No. 97 of 1954)

Mufulira Municipality.....(No. 97 of 1954)

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Nchanga Mine Township.....(No. 97 of 1954)

Nkana Mine Township.....(No. 97 of 1954)

Roan Mpatamatu Mine Township.....(No. 97 of 1954)

SECTION 82-THE PUBLIC HEALTH (FOOD IN AIRTIGHT RECEPTACLES) REGULATIONS

*Federal Government
Notices
116 of 1962*

Regulations by the Minister

1. These Regulations may be cited as the Public Health (Food in Airtight Receptacles) Regulations. Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice these Regulations shall apply to the whole of or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations

3. No person shall sell or shall prepare, keep, transmit or expose for sale, without reasonable excuse, any article of food which is packed in an airtight receptacle if such receptacle- Sale of food packed in airtight receptacles
 - (a) is blown to such a degree that-
 - (i) there is bulging of the flat or concave sides or ends; or
 - (ii) gas escapes from it on puncturing; or
 - (b) is extensively rusted; or
 - (c) is damaged so that it is not airtight; or
 - (d) shows evidence of having been punctured and the puncture re-sealed.

REGULATION 2 OF THE PUBLIC HEALTH (FOOD IN AIRTIGHT RECEPTACLES) REGULATIONS-APPLICATION

*Federal Government
Notices
151 of 1963
Statutory Instruments
110 of 1967
194 of 1968*

Notices by the Minister

The whole of the Regulations apply to-

City of Lusaka *(9)Kasempa



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|------------------------|--------------------------|
| City of Kitwe | Livingstone Municipality |
| City of Ndola | Luanshya Municipality |
| Bancroft Mine Township | Mansa Township |
| Chingola Municipality | Mazabuka Township |
| Chipata Township | Mbala Township |
| *(10)Chisamba | Mongu Township |
| Choma Township | Monze Township |
| Kabwe Municipality | Mufulira Mine Township |
| Kafue Township | Mufulira Municipality |
| Kalomo Township | Nchanga Mine Township |
| *(11)Kapiri Mposhi | Pemba Township |
| Kasama Township | *(12)Zambezi |

* A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act. Chapter 120 of the 1963 Edition of the Laws.

THE PUBLIC HEALTH (CREMATORIA AND CREMATION) REGULATIONS

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ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Interpretation
3. Manner and place of cremation
4. Advertisement of intention to establish crematorium
5. Submission of plans
6. Inquiry into proposed establishment of crematorium
7. Crematorium to be certified
8. Maintenance and staffing of crematorium
9. Inspection of crematorium
10. Closing of crematorium
11. Minister to be informed of opening or closing of crematorium
12. Powers of Cremation Authority
13. Construction of coffin
14. Interference with coffin or body prohibited
15. Cremation contrary to directions left by deceased person unlawful
16. Cremation of unidentified or embalmed body unlawful
17. Registration of death
18. Application for cremation
19. Conditions prior to cremation
20. Medical certificate
21. Appointment of medical referee and deputy medical referee
22. Duties of medical referee
23. Cremation of body of person buried not less than one year
24. Cremation of body of person dying of formidable epidemic disease
25. Suspension or modification of certain regulations during epidemic, etc.
26. Cremation of stillborn child
27. Disposal of ashes
28. Appointment and duties of superintendent
29. Notification to Registrar of Births and Deaths
30. Preservation, etc., of registers and documents
31. Disposal of registers and documents on closure of crematorium

Regulation

32. Prescribed fees
33. Payment of expenses
34. False statement
35. Offences and penalties

SCHEDULE- Prescribed forms

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SECTION 91 (2)-THE PUBLIC HEALTH (CREMATORIA AND CREMATION) REGULATIONS

Regulations by the Minister

Government Notices
379 of 1962
291 of 1964
497 of 1964
500 of 1964
Act No.
57 of 1964
13 of 1994
Statutory Instrument
163 of 1965

1. These Regulations may be cited as the Public Health (Crematoria and Cremation) Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"body" means any human dead body including the body of any stillborn child;

"cremation" means the disposal of a body by means of incineration;

"Cremation Authority" means any Local Authority or any company or person by whom a crematorium has been established;

"crematorium" means any building fitted with appliances for the disposal by incineration of any body, and shall include everything incidental or ancillary to such building;

"embalmed" means treated for the purpose of preserving from physical decomposition;

"form" means a form prescribed in the Schedule;

"medical practitioner" means a medical practitioner registered under the Medical and Allied Professions Act; Cap. 296

"medical referee" means a medical referee or a deputy medical referee appointed in pursuance of regulation 21;

"name" includes any identifying description of a deceased human being who possessed no name or whose name is unknown;

"nearest relative" includes widow or widower, parent, brother, sister or child of or above the age of eighteen years of the deceased and any other relative of or above the age of eighteen years usually residing with the deceased;

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"notice", for the purpose of regulation 27, means warning by letter despatched by registered post to the person who applied for the cremation in Form 1, at the address stated in that application;

"stillborn" shall apply to any child which has issued forth from its mother after the twenty-eight week of pregnancy and which did not at any time after being completely expelled from its mother, breathe or show any other signs of life.

(As amended by No. 291 of 1964)

3. Except as hereinafter provided, no cremation shall take place otherwise than in the manner prescribed by these Regulations or anywhere other than in a crematorium duly established, maintained, staffed and operated in accordance with these Regulations:

Manner and place of cremation

Provided that a coroner within whose jurisdiction a body is lying, if he is satisfied that death was not due to any suspicious circumstances whatsoever, may grant exemption from all or any of these Regulations in any special circumstance.

(As amended by No. 500 of 1964)

4. Any person or Local Authority wishing to establish a crematorium shall advertise the intention so to do in three consecutive issues of a newspaper published or commonly circulating in the locality in which it is proposed to establish such crematorium, and where the crematorium is intended to be established other than by the Local Authority, shall send a copy of such advertisement to the Local Authority for the area in which it is intended to establish the crematorium. Such advertisement will indicate the site of the proposed crematorium and shall call upon any person objecting thereto to lodge with the Minister, within one month after the date of the publication of such advertisement, his objections in writing.

Advertisement of intention to establish crematorium

5. Any person or Local Authority intending to establish a crematorium shall submit to the Minister the plans thereof together with details of its proposed site and a copy of the advertisement required under the provisions of regulation 4, and no work shall commence on the construction of such crematorium without the prior approval of the Minister:

Submission of plans

Provided that where the crematorium is intended to be established other than by the Local Authority, the plans of such crematorium shall be subject to the prior approval of the Local Authority for the area in which it is intended to establish the crematorium.

6. The Minister may, if he thinks fit, hold, or appoint any person to hold, a local inquiry into the proposed establishment of any crematorium, and any person or Local Authority concerned with the establishment of such crematorium and any Local Authority or person objecting thereto shall have a right to be heard.

Inquiry into proposed establishment of crematorium

7. No cremation shall take place until the crematorium has been certified by a person appointed by the Minister to be complete, built in accordance with the plans submitted under the provisions of regulation 5 and properly equipped for the disposal of bodies by incineration.

Crematorium to be certified



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- 8.** Every crematorium shall be-
- (a) maintained in good working order;
 - (b) kept constantly in a clean and orderly condition;
 - (c) staffed by a superintendent and a sufficient number of attendants to the satisfaction of the Minister on the advice of the Medical Officer of Health for the area in which the crematorium is situate, where such an officer exists.
- Maintenance and staffing or crematorium
- 9.** Every crematorium shall be subject to inspection at any time by any person appointed for that purpose-
- (a) by the Minister; or
 - (b) by the Local Authority of the area in which the crematorium is situate.
- Inspection of crematorium
- 10.** (1) A crematorium may be closed by the Cremation Authority if not less than one month's notice of the intention so to do is given by advertisement in a newspaper published or commonly circulating in the locality in which such crematorium is situate and by written notice fixed at the entrance to the crematorium.
- Closing of crematorium
- (2) A crematorium may be closed by order of the Minister if, in his opinion-
- (a) the crematorium is maintained and operated otherwise than in accordance with the provisions of these Regulations; or
 - (b) the crematorium is built, equipped or operated in an unsatisfactory, unfitting or improper manner, or closure of the crematorium is necessary in the public interest.
- (As amended by No. 291 of 1964)
- 11.** The Cremation Authority shall forthwith inform the Minister in writing of the opening or closing of any crematorium.
- Minister to be informed of opening or closing of crematorium
- 12.** Every Cremation Authority shall, subject to the approval of the Minister, have the power to lay down conditions governing-
- (a) the type, design and dimensions of the coffin to contain the body to be cremated, and the materials which may and may not be used in the construction of such coffin;
 - (b) the days and hours of operation of the crematorium;
 - (c) the method and manner of conducting the Committal Service;
 - (d) the period of time between the Committal Service and cremation.
- Powers of Cremation Authority
- 13.** No person shall present for cremation a body, nor shall any body be cremated, which is not contained in a coffin constructed in compliance with the conditions laid down by the Cremation Authority under the provisions of regulation 12.
- Construction of coffin

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14. (1) Once the coffin has entered the crematorium, no interference with such coffin or with the body or anything contained within the coffin shall take place, and the coffin shall in no circumstances be opened nor shall anything be added to or removed from such coffin.

Interference with coffin or body prohibited

(2) It shall not be lawful to cremate any body except in the coffin containing such body when it entered the crematorium.

15. It shall not be lawful to cremate the body of any person who is known to have left a written direction to the contrary. Where the person making application for cremation is not an executor or the nearest relative of the deceased, such person shall produce to the medical referee a declaration made before a commissioner for oaths by an executor or by the nearest relative of the deceased that the deceased did not leave any directions to the effect that he or she did not wish his or her body to be cremated or, where it is impracticable to obtain such a declaration, such other evidence to the same effect as may be acceptable to the medical referee.

Cremation contrary to directions left by deceased person unlawful

16. It shall not be lawful-

- (a) to cremate any body which has not been identified;
- (b) to cremate any body which has been embalmed, without the prior approval of the Minister and subject to such conditions as he may think fit.

Cremation of unidentified or embalmed body unlawful

17. No cremation shall be allowed to take place until the death of the deceased has been duly registered in terms of the Births and Deaths Registration Act.

Registration of death. Cap. 51

18. (1) No cremation shall be allowed to take place unless application therefor is made to the Cremation Authority and the particulars stated in the application are confirmed by statutory declaration in accordance with Form 1.

Application for cremation

(2) The application should be signed and the statutory declaration made by an executor or by the nearest relative of the deceased, or, if made by any other person, shall show to the satisfaction of the medical referee, cause why the application is not made by an executor or by the nearest relative.

(3) Every application lodged in terms of this regulation shall be supported by the following documents:

- (a) a permit authorising burial or other disposal of the body;
- (b) the certificates required by regulations 19 and 22 (1) (b);
- (c) written directions by the person making the application stating how the ashes are to be disposed of.

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19. (1) Except as hereinafter provided, no cremation shall be allowed to take place unless-

Conditions prior to cremation

- (a) a certificate in Form 2 has been given by a medical practitioner who attended the deceased during his or her last illness and who can certify definitely as to the cause of death; and
- (b) a confirmatory medical certificate in Form 3 has been given by another medical practitioner, who must be qualified as prescribed in regulation 20; or
- (c) a post-mortem examination of the body of the deceased has been made by a medical practitioner approved by the medical referee having had regard to his experience in pathology, and a certificate given by such medical practitioner in Form 4:

Provided that where a post-mortem examination of the body of the deceased has been carried out by a medical practitioner not approved by the medical referee, such medical practitioner shall complete the certificate in Form 3 instead of Form 4; or

- (d) a post-mortem examination of the body of the deceased has been made in pursuance of the Inquests Act and a certificate given by the magistrate in Form 5; or
- (e) an inquest has been held and a certificate given by the magistrate in Form 5:

Cap. 36

Provided that in any case in which the death occurs in connection with an industrial, railway, flying or road accident, and the magistrate adjourns the inquest with a view to investigation of the causes of the accident, he may give a certificate to the effect that he is satisfied that death was wholly due to an accident, without waiting for the termination of the inquest.

(2) No cremation shall take place except on the written authority of the medical referee given in Form 6.

20. The confirmatory medical certificate in Form 3, if not given by a medical practitioner who has carried out a post-mortem examination of the body of the deceased, shall be given by a medical practitioner of not less than five years' standing:

Medical certificate

Provided that no medical practitioner who is a relative of the deceased or a relative or partner or employee of the medical practitioner who has given the certificate in Form 2, or a person having any pecuniary interest in the death of the deceased, shall give the medical certificate in Form 3.

21. (1) There shall be appointed for every Cremation Authority a medical referee and a deputy medical referee, who shall be medical practitioners of not less than five years' standing and shall possess such experience and qualifications as will fit them for the discharge of the duties required of them by these Regulations. The medical referee or deputy medical referee may be a person holding the office of Medical Officer of Health, as defined in the Act.

Appointment of medical referee and deputy medical referee

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(2) The deputy medical referee shall act in the absence of the medical referee and in any case in which the medical referee has signed Form 1, 2, 3 or 4.

(3) The Minister shall appoint as medical referee and deputy medical referee such persons as he may deem fit:

Provided that the Minister, if satisfied that a Medical Officer of Health or a Deputy Medical Officer of Health, being a medical practitioner of not less than five years' standing and possessing the necessary experience and qualifications, is conveniently available, may in his discretion appoint as medical referee or as deputy medical referee such Medical Officer of Health or Deputy Medical Officer of Health.

(4) Any medical referee or deputy medical referee appointed by the Minister may, in case of emergency, act as the medical referee or deputy medical referee of a Cremation Authority other than that for which he has been appointed.

22. (1) The duties of the medical referee shall be as follows:

Duties of medical referee

(a) he shall not allow any cremation to take place if it appears that the deceased left a written direction to the contrary;

(b) he shall not allow any cremation to take place unless he is satisfied by the production of a certificate in terms of section *eleven* of the Births and Deaths Registration Act that the death of the deceased has been registered in terms of that Act;

Cap. 51

(c) he shall, before allowing the cremation, examine the application and certificates and ascertain that they are such as are required by these Regulations and that the inquiry made by the persons giving the certificates has been adequate. He may make any inquiry with regard to the application and certificates that he may think necessary;

(d) he shall not allow the cremation unless he is satisfied that the application is made by an executor or by the nearest relative of the deceased, or, if made by any other person, that the fact that the executor or nearest relative has not made the application is sufficiently explained, and that the person making the application is a proper person to do so;

(e) he shall not allow the cremation unless he is satisfied that the fact and cause of death have been definitely ascertained and, in particular, if the cause of death assigned in the medical certificates is such as, regard being had to all the circumstances, might be due to poison, to violence, to any illegal operation or to privation or neglect, he shall require a post-mortem examination of the body of the deceased to be made and, if that fails to reveal the cause of death, shall decline to allow the cremation unless an inquest be held in pursuance of the Inquests Act and a certificate given by the magistrate in Form 5;

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- Cap. 36
- (f) if it appears that death was due to poison, to violence, to any illegal operation or to privation or neglect, or if there is any suspicious circumstance whatsoever, whether revealed in the certificates or otherwise coming to his knowledge, he shall decline to allow the cremation unless an inquest be held in pursuance of the Inquests Act and a certificate given by the magistrate in Form 5;
 - (g) where it appears to the medical referee that the cause of death is such as, regard being had to all the circumstances, might be due to poison, to violence, to any illegal operation, or to privation or neglect, or if there is any suspicious circumstance whatsoever, whether revealed in any certificate or otherwise coming to his knowledge, he shall, in addition to refusing permission for the cremation to take place, inform the magistrate of the District in which the body is situate;
 - (h) if a magistrate has given notice that he intends to hold an inquest on the body, the medical referee shall not allow the cremation to take place until the inquest has been held;
 - (i) he may in any case decline to allow the cremation without stating any reason;
 - (j) he shall make such reports to the Minister as may from time to time be required by the Minister.

(2) In the case of the body of a person who has died in any place outside Zambia, the medical referee may accept a declaration containing the particulars prescribed in Form 1, if it is made before any person having authority in that place to administer an oath or to take a declaration; and he may accept certificates in Forms 2, 3 and 4, if they are signed by any practitioners of medicine who are shown to his satisfaction to possess qualifications substantially equivalent to those prescribed in the case of each certificate by these Regulations. In any such case, the Minister, if satisfied that the case is one in which cremation may properly take place, may by order under his hand authorise the medical referee to allow the cremation without the production of Forms 2 and 3.

(As amended by No. 163 of 1965)

23. The provisions of regulations 15 to 20 shall not apply to the cremation of the body of a deceased person who has already been buried for not less than one year. Such body may be cremated, subject to the Minister's consent and upon such conditions as the Minister may impose, and any such cremation in which these conditions are not observed shall be deemed to be a contravention of these Regulations:

Cremation of body of person buried not less than one year

Provided that, notwithstanding the provisions of this regulation, Forms 1 and 6 are submitted to the Minister.

24. In the case of any person dying of any formidable epidemic disease (as defined in section *twenty-nine* of the Act) or in a hospital or place of isolation provided for the accommodation and treatment of persons suffering from infectious disease, the medical referee, if satisfied as to the cause of death, may dispense with any of the requirements of regulations 15, 17, 18, 19, 20 and 22:

Cremation of body of person dying of formidable epidemic disease

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Provided that where the medical referee has dispensed with any such requirements, he may only allow the cremation of bodies subject to any conditions imposed by the Medical Officer of Health of the area. Such conditions may specify the crematorium in which cremation is to take place.

25. Regulations 15, 17, 18, 19, 20 and 22 may be temporarily suspended or modified in any area during an epidemic or for other sufficient reason, by order of the Minister:

Suspension or modification of certain regulations during epidemic, etc.

Provided that where an order by the Minister has been made in terms of this regulation, the medical referee may only allow the cremation of bodies subject to any conditions imposed by the Medical Officer of Health of the area. Such conditions may specify the crematorium in which cremation is to take place.

26. Notwithstanding the provisions of regulations 17 to 22, the medical referee may permit the cremation of the body of a stillborn child if it is certified to be stillborn by a medical practitioner after examination of the body, and if the medical referee, after such inquiries as he may think necessary, is satisfied-

Cremation of stillborn child
Cap. 51

- (a) that it was stillborn;
- (b) that there is no reason for further medical examination; and
- (c) that the provisions of the Births and Deaths Registration Act relating to registration have been complied with.

27. After the cremation of the body of a deceased person, the ashes shall be given into the charge of the person who applied for the cremation, if he so desires. If not, they shall be retained by the Cremation Authority, and, in the absence of any special arrangement for their burial or preservation, they shall either be decently interred in a burial ground appointed under section *ninety-one* of the Act or in land or premises forming part of the crematorium reserved for the burial or preservation of ashes or shall be scattered thereon. In the case of ashes left temporarily in the charge of the Cremation Authority and not removed within a period of ninety days, the Cremation Authority shall give twenty-eight days' notice to the person who applied for the cremation, before the ashes are interred or scattered as decided by the Cremation Authority.

Disposal of ashes

28. Every Cremation Authority shall appoint a superintendent who shall be responsible for the keeping of a register of all cremations carried out by the Cremation Authority in Form 7. He shall be responsible for making the entries relating to each cremation immediately after the cremation has taken place, except the entry in the last column, which he shall cause to be made as soon as the ashes of the deceased have been handed to the relatives or otherwise disposed of.

Appointment and duties of superintendent

29. (1) Subject to the provisions of sub-regulation (2), the superintendent shall, within ninety-six hours of cremation of the body of any deceased person, send to the Registrar of Births and Deaths for the District in which the death took place, or, if the death took place elsewhere than in Zambia, to the Registrar of Births and Deaths for the District in which the crematorium is situate, a notification in Form 8 of the cremation of the body.

Notification to Registrar of Births and Deaths

(2) This regulation shall not apply to any cremation of a body which has taken place under regulation 23.

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30. (1) All applications, certificates, statutory declarations and other documents relating to any cremation shall be marked with a number corresponding to the number in the register, shall be filed in order and shall be carefully preserved by the Cremation Authority:

Preservation, etc., of registers and documents

Provided that the Cremation Authority may, if it thinks fit, destroy any such applications, certificates, statutory declarations and other documents (but not the register of cremations or any part of such register) after the expiration of fifteen years from the date of the cremation to which they relate.

(2) All such registers and documents shall be open to inspection at any reasonable hour by any person appointed for that purpose by the Minister, by the Medical Officer of Health of any Local Authority in or adjacent to whose area the crematorium is situate and by the Officer Commanding the Zambia Police of the District in which the crematorium is situate.

31. When any crematorium is closed as provided in regulation 10, the Cremation Authority shall send all registers and documents relating to the cremations which have taken place therein to the Minister or otherwise dispose of them as the Minister may direct.

Disposal of registers and documents on closure of crematorium

32. The scale of fees payable for cremation shall be fixed by the Cremation Authority and shall be subject to the approval of the Minister.

Prescribed fees

33. All expenses however incurred in connection with an application for cremation shall be paid by the person making such application, and the Local Authority or the Cremation Authority shall not be responsible for any part of such expenses including any expenses incurred through the detention of any body pending the determination of an application for cremation.

Payment of expenses

34. No person shall wilfully conceal the fact that a deceased person has left directions that he or she be not cremated nor wilfully conceal any other material fact, nor make any false statement when making application in terms of regulation 18.

False statement

35. Any person contravening the provisions of these Regulations shall be guilty of an offence and on conviction shall be liable in respect of each offence to a penalty not exceeding seven hundred and fifty penalty units or in default of payment thereof to imprisonment with or without hard labour for a period not exceeding three months, or both.

Offences and penalties

(As amended by Act No. 13 of 1994)

SCHEDULE

(Regulations 2, 18, 19, 20, 21, 22, 23, 28 and 29)

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FORM 1

APPLICATION FOR CREMATION, WITH STATUTORY DECLARATION

I, (name of applicant-in block capitals).....
(address).....
(occupation).....
apply to.....to undertake the cremation of the body of
(name of deceased-in BLOCK CAPITALS).....
(address).....
(occupation).....(age).....
(sex).....(whether married, widow, widower or unmarried).....

The true answers to the questions set out below are as follows:

1. Are you an executor or the nearest relative of the deceased?
2. If not, state-
 - (a) your relationship to the deceased;
 - (b) the reason why the application is made by you and not by an executor or any nearer relative.
3. Did the deceased leave any written instructions to the effect that he or she did not wish his or her body to be disposed of by cremation?
4. Have the near relatives* of the deceased been informed of the proposed cremation?
*The term "near relative" as here used includes widow or widower, parent, brother, sister or child of or above the age of eighteen, and any other relative usually residing with the deceased.
5. Has any near relative of the deceased expressed any objection to the proposed cremation? If so, on what ground?
6. What was the date and hour of the death of the deceased?
7. What was the place where deceased died? (Give address and say whether own residence, lodgings, hotel, hospital, nursing home, etc.)
8. Has the body of the deceased been embalmed?
9. Do you know, or have you any reason to suspect that the death of the deceased was due, directly or indirectly, to-
 - (a) poison;
 - (b) violence;
 - (c) illegal operation;
 - (d) privation or neglect?
10. Do you know any reason whatever for supposing that an examination of the body of the deceased may be desirable?
11. Give name and address of the ordinary medical attendant of the deceased.
12. Give name(s) and address(es) of the medical practitioner(s) who attended deceased during his or her last illness.

I do hereby solemnly and sincerely declare that all the particulars stated above are true, and that to the best of my knowledge and belief no material particular has been omitted; and I make this solemn declaration conscientiously believing the same to be true.

Declared at.....
the.....day of
....., 19.....
Before me.

Signature.....

Signature.....

This declaration must be made before a Commissioner for Oaths.



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NOTES

This application should be signed and the statutory declaration made by an executor or by the nearest relative of the deceased, or if made by any other person, must show, under 2 (b) above, cause why the application is not made by an executor or by the nearest relative.

This application must be accompanied by-

- (a) a certificate in terms of section 11 of the Births and Deaths Registration Act that the death of the deceased has been registered in terms of that Act (such certificate to be returned by the medical referee to the person making the application);
- (b) a permit authorising burial or other disposal of the body of the deceased; and
- (c) written directions by the applicant as to how the ashes are to be disposed of.

Where the applicant is not an executor or the nearest relative of the deceased, this application must also be accompanied by a declaration made before a Commissioner for Oaths by an executor or by the nearest relative of the deceased that the deceased did not leave any direction to the effect that he or she did not wish his or her body to be cremated; or where it is impracticable to obtain such a declaration, other evidence to the same effect.



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CERTIFICATE OF MEDICAL ATTENDANT

I, (full names- in BLOCK CAPITALS).....
 am informed that application is about to be made for the cremation of the remains of (name of deceased-in BLOCK CAPITALS).....
 (address).....
 (occupation).....

Having attended the deceased before death, and seen and identified the body after death, I give the following answers to the questions set out below:

1. On what date and at what hour did he or she die?
2. What was the place where the deceased died? (Give address and say whether own residence, lodgings, hospital, nursing home, etc.)
3. Are you a relative of the deceased? If so, state the relationship.
4. Have you, so far as you are aware, any pecuniary interest in the death of the deceased?
5. Were you the ordinary medical attendant of the deceased? If so, for how long?
6. For how long did you attend the deceased during his or her last illness? Give dates of last two attendances.
7. When did you last see the deceased alive? (Say how many days or hours before death.)
8. How soon after death did you see the body, and what examination of it did you make?
9. What was the cause of death?
 Primary
 Secondary
 (Specify the disease, injury, etc., and if possible distinguish the primary from the secondary cause as in the death certificate.)
10. Was there any other cause which contributed to or accelerated death? If so, state it, and if more than one cause, state them all.
11. What was the mode of death? Say whether syncope, coma, exhaustion, convulsions, etc.) What was its duration in days, hours or minutes?
12. State how far the answers to the last two questions are the result of your own observations, or are based on statements made by others. If on statements made by others, say by whom.
13. Did the deceased undergo any operation during the final illness or within a year before death? If so, what was its nature, when was it performed, and who performed it?
14. By whom was the deceased nursed during his or her last illness? (Give names and say whether professional nurse, relative, etc. If the illness was a long one, this question should be answered with reference to the period of four weeks before the death.)
15. Who were the persons (if any) present at the moment of death?
16. In view of your knowledge of the deceased's habits and constitution, do you feel any doubt whatever as to the character of the disease or the cause of death?
17. Do you know, or have you any reason to suspect, that the death of the deceased was due, directly or indirectly to-
 (a) poison;
 (b) violence;
 (c) illegal operation;
 (d) privation or neglect?
18. Have you any reason whatever to suppose a further examination of the body to be desirable?
19. Have you given the certificate required for registration of death? If not, who has?

I hereby certify that the answers given above are true and accurate to the best of my knowledge and belief, that there is no circumstance known to me which can give rise to any suspicion that the death was due wholly or in part to any other cause than disease/accident, and that there is no circumstance of any sort known to me which makes it undesirable that the body should be cremated.

(Signature).....
 (Address).....
 (Registered qualifications).....

Date.....

NOTES

This certificate must be given by a medical practitioner who attended the deceased during his or her last illness and who can certify definitely as to the cause of death.

This certificate must be handed or sent in a closed envelope by the medical practitioner who signs it to the medical practitioner who is to give the confirmatory certificate in Form 3.



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FORM 3

CONFIRMATORY MEDICAL CERTIFICATE

I, (full names-in BLOCK CAPITALS)..... have examined the certificate in Form 2 and have made personal inquiry as stated in my answers to the questions below:

1. Name of deceased-in BLOCK CAPITALS.
2. Have you seen the body of the deceased?
3. Have you carefully examined the body externally?
4. Have you made a post-mortem examination of the body of the deceased?
5. Have you seen and questioned the medical practitioner who gave the certificate in Form 2?
6. Have you seen and questioned any other medical practitioner who attended the deceased?
7. Have you seen and questioned any person who nursed the deceased during his or her last illness, or who was present at the death?
8. Have you seen and questioned any of the relatives of the deceased?
9. Have you seen and questioned any other person?

(On the answers to questions 6, 7, 8 and 9 give names and addresses of persons seen and say whether you saw them alone.)

I am satisfied that the cause of death was and I certify that I know of no circumstance which can give rise to any suspicion that death was due wholly or in part to any other cause than disease/accident, and that there is no circumstance of any sort known to me which makes it undesirable that the body should be cremated.

I am not a relative of the deceased nor a relative or partner or employee of Dr.....who has given the certificate in Form 2, and so far as I am aware I have no pecuniary interest in the death of the deceased.

(Signature).....

(Address).....

(Registered qualifications

and year of first registration).....

(Office).....

Date.....

NOTES

This certificate, if not given by a medical practitioner who has carried out a post-mortem examination of the body of the deceased, shall be given by a medical practitioner of not less than five years' standing:

Provided that no medical practitioner who is a relative of the deceased or a relative or partner or employee of the medical practitioner who has given the certificate in Form 2 or a person having any pecuniary interest in the death of the deceased, may give this certificate.

Where a post-mortem examination of the body of the deceased has been carried out by a medical practitioner not approved by the medical referee, such medical practitioner must complete *this* certificate instead of the certificate in Form 4.

This certificate, *and* the certificate in Form 2, must be handed or sent in a closed envelope to the medical referee by one or other of the medical practitioners by whom they are given.



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FORM 4

CERTIFICATE AFTER POST-MORTEM EXAMINATION

I, (full names-in BLOCK CAPITALS).....
hereby certify that acting **on the instructions* of the medical referee to.....
.....I made a post-mortem examination of the body of
(name-in BLOCK CAPITALS).....
(address).....
(occupation).....

I am satisfied that the cause of death was..... and that there is no
reason *for making any toxicological analysis or for the holding of an inquest.*

(Signature).....

(Address).....

(Registered qualifications).....

Date.....

**Where the medical referee himself gives this certificate, strike out the words in italics and insert "as".*

The words in italics should be omitted where a toxicological analysis has been made and its result is stated in this certificate or in a certificate attached to it.

NOTE

This certificate must be given by a medical practitioner approved by the medical referee, and must be handed or sent in a closed envelope to the medical referee, except where the medical referee himself makes the post-mortem examination.



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FORM 5

MAGISTRATE'S CERTIFICATE

I, (full names-in BLOCK CAPITALS).....
certify that I have *held an inquest (which has been adjourned until

to ascertain the cause of the accident)

directed a post-mortem examination to be made

on the body of.....and that

*my conclusion
the cause of death as disclosed by the report of the post-mortem examination was as follows:

.....
.....
.....

Medical evidence was given by (in BLOCK CAPITALS).....

I am satisfied from the evidence that the cause of death was
.....and that no circumstance exists which could render necessary any further
examination of the body or any analysis of any part of the body.

.....
Magistrate

Date and place.....

*Strike out whichever is inapplicable.

Strike out the words in italics in all cases except those in which death occurs in connection with an industrial, railway,
flying or road accident.

NOTE

This certificate must be handed or sent in a closed envelope to the medical referee.



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FORM 6

AUTHORITY TO CREMATE

Whereas application has been made for the cremation of the body of
(name*-in BLOCK CAPITALS).....
(address).....
(occupation).....

And whereas I have satisfied myself that all the requirements of the Public Health (Creamatoria and Cremation) Regulations have been complied with, that the cause of death has been definitely ascertained, and that there exists no reason for any further inquiry or examination:

I hereby authorise the superintendent of the..... Crematorium
at.....to cremate the said body.

(Signature).....

Medical referee to.....

Date.....

NOTE

This authority should be signed in duplicate, one copy to be retained with certificates and the other sent by the medical referee to the superintendent of the crematorium.

*In the case of a stillborn child, in place of the name, address and occupation, insert a description sufficient to identify the body, and in place of the words "that the cause of death has been definitely ascertained" insert the words "that the child was stillborn".



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REGISTER OF CREMATION

Carried out by.....at the Crematorium at.....

| No. | Date of cremation | Name, residence and occupation of deceased | Age and sex | Whether married or unmarried | Date of death | Name and address of person who applied for cremation | Names and addresses of persons signing certificate |
|-----|-------------------|--------------------------------------------|-------------|------------------------------|---------------|------------------------------------------------------|----------------------------------------------------|
| | | | | | | | |

Note.-Additional particulars may be added in the Form of Register by the Cremation Authority.



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FORM 8

NOTIFICATION OF CREMATION

This is to certify that the body of.....
deceased, who died on the.....day of..... 19.....
at.....
was cremated on the.....day of..... 19.....
at.....Crematorium.

Witness my hand this.....day of..... 19.....
Serial Number in Register
of Cremations:
No.....

.....
Superintendent of Crematorium

NOTE

This notification should be completed and signed in quadruplicate and distributed as follows:
ORIGINAL: To the Cremation Authority-to be filed with the application, certificates, statutory declarations and other documents relating to the cremation, in terms of regulation 30 of the Public Health (Crematoria and Cremation) Regulations.
DUPLICATE: Within ninety-six hours of cremation of the body, to the Registrar of Births and Deaths for the District in which the death took place, or if death took place elsewhere than in Zambia, to the Registrar of Births and Deaths for the District in which the crematorium is situate.
TRIPLICATE: To the person who applied for the cremation in Form 1, at the address stated on that form.
QUADRUPPLICATE: To be retained by the Superintendent of the Crematorium at which the cremation took place.



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SECTION 102-THE PROHIBITION OF GROWING OF CERTAIN CROPS (PEMBA TOWNSHIP) ORDER

*Government Notice
217 of 1946*

Order by the Minister on the advice of the Central Board of Health

- | | |
|---------------------------------------------------------------------------------------------------|---------------------------------|
| 1. This Order may be cited as the Prohibition of Growing of Certain Crops (Pemba Township) Order. | Title |
| 2. The growing of maize and sorghum crops within Pemba Township is hereby prohibited. | Prohibition of growing of crops |

REPUBLIC OF ZAMBIA

THE MEDICAL AND ALLIED PROFESSIONS ACT

CHAPTER 297 OF THE LAWS OF ZAMBIA



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Endnotes

1 (Popup - Popup)

* 15th December, 1967.

2 (Popup - Popup)

*Powers delegated to Provincial Medical Officer by S.I. No. 36 of 1964.

3 (Popup - Popup)

Note: This regulation has been suspended by G.N. No. 229 of 1943 in so far as it relates to seconds-hand clothing.

4 (Popup - Popup)

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

5 (Popup - Popup)

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

6 (Popup - Popup)

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

7 (Popup - Popup)

Certain plots in the City of Kitwe were exempted, on conditions, from the provisions of this regulation by G.N. Nos. 130 and 246 of 1948.

8 (Popup - Popup)

A description of the area of this former township is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

9 (Popup - Popup)

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act. Chapter 120 of the 1963 Edition of the Laws.

10 (Popup - Popup)

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act. Chapter 120 of the 1963 Edition of the Laws.

11 (Popup - Popup)

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act. Chapter 120 of the 1963 Edition of the Laws.

12 (Popup - Popup)

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act. Chapter 120 of the 1963 Edition of the Laws.

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CHAPTER 304 THE TERMINATION OF PREGNANCY ACT CHAPTER 304

THE TERMINATION OF PREGNANCY ACT

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Medical termination of pregnancy
4. Conscientious objection to participation in treatment
5. Regulations
6. Supplementary provisions

CHAPTER 304

26 of 1972
13 of 1994

TERMINATION OF PREGNANCY

An Act to amend and clarify the law relating to termination of pregnancy by registered medical practitioners; and to provide for matters incidental thereto and connected therewith.

[13th October, 1972]

1. This Act may be cited as the Termination of Pregnancy Act.

Short title

2. In this Act, unless the context otherwise requires-

Interpretation

"hospital" means any institution run as such by the Government or any other institution approved in writing for the purposes of this Act by the Permanent Secretary, Ministry of Health;

"the law relating to abortion" means sections *one hundred and fifty-one, one hundred and fifty-two* and *one hundred and fifty-three* of the Penal Code, and includes any written law or rule of law relating to the procurement of abortion;

Cap. 87

"registered medical practitioner" means a medical practitioner registered as such under the provisions of the Medical and Allied Professions Act.

Cap. 297

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3. (1) Subject to the provisions of this section, a person shall not be guilty of an offence under the law relating to abortion when a pregnancy is terminated by a registered medical practitioner if he and two other registered medical practitioners, one of whom has specialised in the branch of medicine in which the patient is specifically required to be examined before a conclusion could be reached that the abortion should be recommended, are of the opinion, formed in good faith-

Medical termination of pregnancy

- (a) that the continuance of the pregnancy would involve-
- (i) risk to the life of the pregnant woman; or
 - (ii) risk of injury to the physical or mental health of the pregnant woman; or
 - (iii) risk of injury to the physical or mental health of any existing children of the pregnant woman;

greater than if the pregnancy were terminated; or

- (b) that there is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.

(2) In determining whether the continuance of a pregnancy would involve such risk as is mentioned in paragraph (a) of subsection (1), account may be taken of the pregnant woman's actual or reasonably foreseeable environment or of her age.

(3) Except as provided by subsection (4), any treatment for the termination of pregnancy must be carried out in a hospital.

(4) Subsection (3) and so much of subsection (1) as relates to the opinion of two registered medical practitioners, shall not apply to the termination of a pregnancy by a registered medical practitioner in a case where he is of the opinion, formed in good faith, that the termination of pregnancy is immediately necessary to save the life or to prevent grave permanent injury to the physical or mental health of the pregnant woman.

4. (1) Subject to subsection (2), no person shall be under any duty, whether by contract or by any statutory or other legal requirement, to participate in any treatment authorised by this Act to which he has a conscientious objection:

Conscientious objection to participation in treatment

Provided that in any legal proceedings the burden of proof of conscientious objection shall rest on the person claiming to rely on it.

(2) Nothing in subsection (1) shall affect any duty to participate in any treatment which is necessary to save the life or to prevent grave permanent injury to the physical or mental health of a pregnant woman.



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(3) In any proceedings before a court, a statement on oath by any person to the effect that he has a conscientious objection to participating in any treatment authorised by this Act shall be sufficient evidence for the purpose of discharging the burden of proof imposed upon him by subsection (1).

5. (1) The Minister may, by statutory instrument, make regulations for the better carrying out of the provisions of this Act and, without prejudice to the generality of the foregoing, such regulations may make provision for- Regulations

- (a) anything which is to be or which may be prescribed under this Act;
- (b) requiring any such opinion as is referred to in section *three* to be certified by the registered medical practitioner concerned in such form and at such time as may be prescribed by the regulations;
- (c) the preservation and disposal of certificates made pursuant to the regulations;
- (d) requiring any registered medical practitioner who terminates a pregnancy to give notice of the termination of pregnancy and such other information relating to the termination of pregnancy as may be prescribed;
- (e) prohibiting the disclosure, except to such persons or for such purposes as may be prescribed, of notices given or information furnished pursuant to the regulations.

(2) The information furnished in pursuance of regulations made by virtue of paragraph (d) of subsection (1) shall be notified solely to the Permanent Secretary, Ministry of Health.

(3) Any person who wilfully contravenes or wilfully fails to comply with the requirements of regulations made under subsection (1) shall be guilty of an offence and on conviction shall be liable to a fine not exceeding two thousand penalty units.

(As amended by Act No. 13 of 1994)

6. For the purpose of law relating to abortion, anything done with intent to procure the miscarriage of a woman is unlawfully done unless it is done in accordance with the provisions of this Act. Supplementary provisions

SUBSIDIARY LEGISLATION

TERMINATION OF PREGNANCY

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SECTION 5-THE TERMINATION OF PREGNANCY REGULATIONS

Statutory Instrument
219 of 1972

Regulations by the Minister

1. These Regulations may be cited as the Termination of Pregnancy Regulations. Title
2. (1) Any opinion to which section *three* of the Act refers shall be certified in the appropriate form set out in the First Schedule. Certificate of opinion

(2) Any certificate of an opinion referred to in subsection (1) of section *three* of the Act shall be given before the commencement of the treatment for the termination of pregnancy to which it relates.

(3) Any certificate of an opinion referred to in subsection (1) of section *three* shall be given before the commencement of the treatment for the termination of pregnancy to which it relates or, if that is not reasonably practicable, not later than twenty-four hours after such termination.

(4) Any such certificate as is referred to in sub-regulations (2) and (3) shall be preserved by the practitioner who terminated the pregnancy to which it relates for a period of three years beginning with the date of such termination and may then be destroyed.
3. (1) Any registered medical practitioner who terminates a pregnancy anywhere in Zambia shall, within seven days of the termination, give to the Permanent Secretary, Ministry of Health, notice thereof and the other information relating to the termination in the form set out in the Second Schedule. Notice of termination of pregnancy and information relating thereto

(2) Any such notice and information as is referred to in sub-regulation (1) shall be sent in a sealed envelope marked "Confidential" to the Permanent Secretary, Ministry of Health, P.O. Box 30205, Lusaka.

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4. A notice given or any information furnished to the Permanent Secretary, Ministry of Health, in pursuance of these Regulations shall not be disclosed except that disclosures may be made-
- Restriction on disclosure of information
- (a) for the purposes of carrying out his duties, to an officer of the Ministry of Health authorised by the Permanent Secretary, Ministry of Health; or
 - (b) for the purposes of carrying out his duties in relation to offences against the Act or the law relating to abortion, to the Director of Public Prosecutions or a member of his staff authorised by him; or
 - (c) for the purposes of investigating whether an offence has been committed against the Act or the law relating to abortion, to a police officer not below the rank of Assistant Superintendent or a person authorised by him; or
 - (d) for the purposes of criminal proceedings which have begun; or
 - (e) for the purposes of *bona fide* scientific research; or
 - (f) to the registered medical practitioner who terminated the pregnancy; or
 - (g) to a registered medical practitioner, with the consent in writing of the woman whose pregnancy was terminated.



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FIRST SCHEDULE

(Regulation 2)

IN CONFIDENCE

CERTIFICATE A

(Not to be destroyed within three years of the date of operation)

THE TERMINATION OF PREGNANCY ACT

CERTIFICATE TO BE COMPLETED BEFORE A TERMINATION OF PREGNANCY IS PERFORMED UNDER SECTION 3 (1) OF THE ACT

I,

(name and qualifications of practitioner in block capitals)

of

(full address of practitioner)

and I,

(name and qualifications of practitioner in block capitals)

of

(full address of practitioner)

and I,

(name and qualifications of practitioner in block capitals)

of

(full address of practitioner)

hereby certify that we are of the opinion, formed in good faith, that in the case of

(full name of pregnant woman in block capitals)

of

(usual place of residence of pregnant woman in block capitals)

1. The continuance of the pregnancy would involve risk to the life of the pregnant woman greater than if the pregnancy were terminated;
2. The continuance of the pregnancy would involve risk of injury to the physical or mental health of the pregnant woman greater than if the pregnancy were terminated;
3. The continuance of the pregnancy would involve risk of injury to the physical or mental health of the existing child(ren) of the family of the pregnant woman greater than if the pregnancy were terminated;
4. There is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.

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[Ring appropriate number(s)]

This certificate of opinion is given before the commencement of the treatment for the termination of pregnancy to which it refers.

SIGNED

DATE

SIGNED

DATE

SIGNED

DATE



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IN CONFIDENCE

CERTIFICATE B

(Not to be destroyed within three years of the date of operation)

THE TERMINATION OF PREGNANCY ACT

CERTIFICATE TO BE COMPLETED IN RELATION TO TERMINATION OF PREGNANCY IN EMERGENCY UNDER SECTION 3 (4) OF THE ACT

I,

(name and qualifications of practitioner in block capitals)

of

(full address of practitioner)

hereby certify that I *am/was of the opinion formed in good faith that it *is/was necessary immediately to terminate the pregnancy of

(full name of pregnant woman in block capitals)

of

(usual place of residence of pregnant woman in block capitals)

in order-

1. to save the life of the pregnant woman; or
2. to prevent grave permanent injury to the physical or mental health of the pregnant woman.

(Ring appropriate number)

This certificate of opinion is given-

- A. before the commencement of the treatment for the termination of the pregnancy to which it relates; or
- B. not later than 24 hours after such termination.

SIGNED

DATE

*Delete as appropriate

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SECOND SCHEDULE

(Regulation 3)

IN CONFIDENCE

THE TERMINATION OF PREGNANCY ACT

NOTIFICATION TO THE PERMANENT SECRETARY, MINISTRY OF HEALTH, OF A TERMINATION OF PREGNANCY PERFORMED UNDER SECTION 3 OF THE ACT

I,

(name and qualifications of practitioner in block capitals)

of

(full address of practitioner)

hereby give notice that I terminated the pregnancy of

(full name of pregnant woman in block capitals)

of

(usual place of residence of pregnant woman in block capitals)

The grounds for terminating the pregnancy were certified as-

1. The continuance of the pregnancy would have involved the risk to the life of the pregnant woman greater than if the pregnancy were terminated;
2. The continuance of the pregnancy would have involved risk of injury to the physical or mental health of the pregnant woman greater than if the pregnancy were terminated;
3. The continuance of the pregnancy would have involved risk of injury to the physical or mental health of the existing child(ren) of the family of the pregnant woman greater than if the pregnancy were terminated;
4. There was a substantial risk that if the child had been born it would have suffered from such physical or mental abnormalities as to be serious handicapped.

(Ring appropriate number)

IN CASE OF EMERGENCY

The grounds for terminating the pregnancy were-

5. It was necessary to save the life of the pregnant woman; or
6. It was necessary to prevent grave permanent injury to the physical or mental health of the pregnant woman.

PLACE OF TERMINATION

The pregnancy was terminated at-

(address)

.....

on *(date)*

.....

(signature of practitioner who terminated pregnancy)



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of pregnancy

11. Grounds for termination of pregnancy

(a) Medical condition of woman:
Obstetric disease
(specify)

(b) Suspected medical condition of foetus
(specify)

(c) Non-medical grounds for termination of pregnancy
(specify)

12. Type of termination of pregnancy:

- Dilation and evacuation
- Hysterectomy-abdominal
- Hysterectomy-vaginal
- Hysterectomy
- Vacuum aspiration
- Other (specify)

(Ring appropriate number)

13. Was sterilisation performed?

14. Complications or death prior to notification:

- None
- Sepsis
- Haemorrhage
- Death
- Other (specify)

(Ring appropriate number)

15. In the case of death, specify cause

Note: This form is to be completed by the operating practitioner and sent in a sealed envelope marked "Confidential" within seven days of the termination of the pregnancy to the Permanent Secretary, Ministry of Health, P.O. Box 30205, Lusaka.

*Children mean a woman's natural children and any adopted, foster or step-children, up to the age of 16 years, living with her.



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CHAPTER 301 THE TROPICAL DISEASES RESEARCH CENTRE ACT CHAPTER 301

THE TROPICAL DISEASES RESEARCH CENTRE ACT

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title
2. Interpretation

PART II

TROPICAL DISEASES RESEARCH CENTRE

3. Tropical Disease Research Centre
4. Establishment of Board
5. Composition of Board
6. Functions of Board
7. Proceedings of Board
8. Seal 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. Rights of Board in discoveries by its employees, etc.
15. Prohibition of publication or disclosure of information to unauthorised persons

PART IV

FINANCIAL AND OTHER PROVISIONS

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Section

16. Funds of Board
17. Financial year
18. Accounts
19. Annual report
20. Regulations

CHAPTER 301

TROPICAL DISEASES RESEARCH CENTRE

Act No.
31 of 1982
13 of 1994

An Act to constitute the Tropical Diseases Research Centre; to establish the Tropical Diseases Research Board; to define the functions and powers of the Board, and to provide for matters connected with or incidental to the foregoing

[1st April, 1984]

PART I

PRELIMINARY

1. This Act may be cited as the Tropical Diseases Research Centre Act. The Minister, under Statutory Instrument No. 39 of 1984 appointed 1st April, 1984 as the date on which this Act comes into operation. The Minister may, by statutory instrument appoint:

Short title

2. In this Act, unless the context otherwise requires-

Interpretation

"Board" means the Tropical Diseases Research Board established by section *four*;

"Centre" means the Tropical Diseases Research Centre constituted under section *three*;

"Chairman" means the person designated Chairman of the Board by section *five*;

"Deputy Director" means the person appointed Deputy Director of the Board under section *twelve*;

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"Director" means the person appointed Director of the Board under section *twelve*;

"member" means a member of the Board;

"Secretary" means the person appointed Secretary of the Board under section *thirteen*;

"Vice-Chairman" means the person designated Vice-Chairman of the Board under section *five*.

PART II

TROPICAL DISEASES RESEARCH CENTRE

3. (1) There is hereby constituted the Tropical Diseases Research Centre for the purposes of conducting research and training in tropical diseases and related matters. Tropical Diseases Research Centre

(2) The Board may establish such number of branches of the Centre as it thinks necessary.

4. There is hereby established the Tropical Diseases Research 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 provisions of this Act, to do all such acts and things as a body corporate may be law do or perform. Establishment of Board

5. (1) The Board shall consist of the following members: Composition of Board

- (a) the Director of Medical Services, who shall be the Chairman;
- (b) the Permanent Secretary of the Province in which the Centre is located;
- (c) the Secretary-General of the National Council for Scientific Research;
- (d) the Dean of the School of Medicine of the University of Zambia;
- (e) the administrative head of the Central Hospital nearest the Centre;
- (f) the Director of Veterinary Services;

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- (g) a representative of the World Health Organisation; and
- (h) two persons appointed by the Minister.

(2) There shall be a Vice-Chairman elected by the Board.

(3) A member appointed under paragraph (h) of subsection (1) shall hold office for three years, but shall be eligible for reappointment:

Provided that any such member may resign upon giving one month's notice in writing to the Minister and may be removed by the Minister at any time.

6. (1) The functions of the Board shall be to conduct research and training in tropical diseases and to do all such acts and things as are necessary for or conducive to the attainment of that purpose. Functions of Board

(2) Without prejudice to the generality of subsection (1), the Board may-

- (a) formulate plans and policies for the Centre;
- (b) conduct research and develop research methodologies;
- (c) support research programmes relating to disease control and primary health care;
- (d) train scientists in research related to tropical diseases;
- (e) provide facilities for international research and training;
- (f) liaise with other scientific bodies within and outside Zambia;
- (g) collect and disseminate scientific information including the publication of scientific reports, journals and other such documents and literature relating to the work of the Centre.

(3) The Board may by directions in writing and subject to such terms and conditions as it thinks fit, delegate to the Director, Deputy Director, any member or the Secretary any of its functions under this Act.

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(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.

7. (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 twelve months at such places and at such times as the Chairman may decide.

(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 five 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) Five 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) Where any member referred to in paragraphs (a) to (g) of subsection (1) of section *four* is for any reasonable cause unable to attend any meeting of the Board, his Ministry or organisation, as the case may be, 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.

(8) 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.

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(9) 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.

(10) 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.

8. (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 shall be authenticated by the Chairman or the Vice-Chairman, and the Secretary or 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 generally or specifically authorised by the Board in that behalf.

(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 so executed or issued, as the case may be, without further proof, unless the contrary is proved.

9. (1) 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. Committees of Board

(2) 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.

(3) Subject to any specific or general direction of the Board any committee established under subsection (1) may regulate its own procedure.

10. (1) 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 such 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. Disclosure of interest

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(2) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which it is made.

11. 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.

Immunity of members

PART III

ADMINISTRATION

12. (1) 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 Centre.

Director and Deputy
Director

(2) 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.

13. (1) There shall be a Secretary of the Board who shall be appointed by the Board on such terms and conditions as the Board may determine.

Secretary and other staff

(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.



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14. Where in the course of his duties an employee of the Board makes any discovery, invention or improvement, the Board shall be deemed to be the owner for all purposes of the rights therein.

Rights of Board in discoveries by its employees, etc.

15. (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 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.

(As amended by Act No. 13 of 1994)

PART IV

FINANCIAL AND OTHER PROVISIONS

16. (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 grants or donations; and
- (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;
- (b) subject to the approval of the Minister, raise by way of loans or otherwise, such moneys as it may require for the discharge of its functions; and

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- (c) charge and collect fees in respect of programmes, seminars, consultancy services, and other services provided by the Board.
- (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 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.
- 17.** The financial year of the Board shall be the period of twelve months ending on the 31st December in each year. Financial year
- 18.** The Board shall cause to be kept proper books of accounts and other records relating to its accounts. Accounts
- 19.** (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. Annual report
- (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.

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20. The Minister may, by statutory instrument, make regulations for the better carrying out of Regulations the purposes of this Act.

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CHAPTER 307 THE ZAMBIA RED CROSS SOCIETY ACT

THE ZAMBIA RED CROSS SOCIETY ACT

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Establishment, incorporation and government of Society
4. Objects of Society
5. Recognition of Society as independent voluntary aid society
6. Misuse of Red Cross emblems
7. Rules
8. Transitional

CHAPTER 307

ZAMBIA RED CROSS SOCIETY

9 of 1966
13 of 1994

An Act to establish and incorporate the Zambia Red Cross Society and for matters incidental thereto and connected therewith.

[22nd April, 1966]

1. This Act may be cited as the Zambia Red Cross Society Act.

Short title

2. In this Act, unless the context otherwise requires-

Interpretation

"the Branch" means the Zambia Branch of the British Red Cross Society;

"the Conventions" means the Geneva Conventions of the 12th August, 1949, for the amelioration of the condition of the wounded and the sick of armed forces in the field and of sick and shipwrecked members of armed forces at sea, and relative to the treatment of prisoners of war and to the protection of civilian persons in time of war;

"the Council" means the Council provided for under section *three*;

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"the Society" means the Zambia Red Cross Society established under subsection (1) of section *three*.

3. (1) There is hereby established a society to be known as the Zambia Red Cross Society which shall be the sole national Red Cross society in Zambia.

Establishment,
incorporation and
government of Society

(2) The Society shall be a body corporate having perpetual succession and a common seal, with power to sue and be sued, to purchase, acquire, hold, manage and dispose of real and personal property, and to enter into any such contracts as it may consider necessary or expedient for the purpose of performing its functions or achieving its objects under this Act.

(3) The Society shall be governed by a Council which, save as provided in paragraph (b) of section *eight*, shall be constituted in accordance with rules made under this Act.

(4) The Council may appoint an Executive Committee with such powers, functions and duties as may be prescribed by rules made under this Act.

4. (1) The objects of the Society shall be-

Objects of Society

- (a) to furnish aid to the sick and wounded in time of war and to non-belligerents and prisoners of war and civilian sufferers from the effects of war;
- (b) to perform all the duties which devolve upon a National Society in accordance with the provisions of the Conventions; and
- (c) in time of peace or war to carry on and assist in the work for the improvement of health, the prevention of disease and the mitigation of suffering throughout the world, among all men and all nations.

(2) In pursuing the objects set out in subsection (1), the Society shall not make any adverse distinction founded on sex, race, nationality, religion, faith, political opinion or other similar criteria.

5. (1) The Society is hereby recognised as a voluntary aid society auxiliary to public authorities exercising their obligations under the Conventions.

Recognition of Society as
independent voluntary aid
society

(2) The independent and voluntary nature of the Society shall at all times be respected in accordance with the resolution relative to National Red Cross Societies adopted by the General Assembly of the United Nations on the 19th November, 1946.

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6. (1) No person other than the Society or a person so authorised under the Conventions shall, without the authority of the Council, use for any purpose whatsoever any of the following emblems or designations, that is to say: Misuse of Red Cross emblems

- (a) the emblem of a red cross with vertical and horizontal arms of the same length on, and completely surrounded by, a white ground, or the designation "Red Cross" or "Geneva Cross";
- (b) the emblem of a red crescent moon on, and completely surrounded by, a white ground, or the designation "Red Crescent";
- (c) the following emblem in red on, and completely surrounded by, a white ground, that is to say, a lion passing from right to left of, and with its face turned towards, the observer, holding erect in its raised right forepaw a scimitar, with, appearing above the lion's back, the upper half of the sun shooting forth rays, or the designation "Red Lion and Sun".

(2) Any person who contravenes the provisions of subsection (1) is guilty of an offence and liable on conviction to a fine not exceeding three thousand penalty units.

(As awarded by Act no. 13 of 1994)

7. The Council may, by statutory instrument, make rules providing for membership of an association with the Society, for the management of the affairs of the Society and for the accomplishment of the objects of the Society, and may amend or revoke any such rules. Rules

8. Upon the commencement of this Act- Transitional

- (a) all property, assets, rights, liabilities, obligations, agreements and rules vested in, acquired, incurred or entered into by or on behalf of, or made by the Branch shall be deemed to be vested in or to have been acquired, incurred or entered into by or on behalf of, or made by the Society; and accordingly every such right, liability or obligation may be enforced by or against the Society to the same extent as it could have been enforced by or against the Branch;
- (b) the members of the Central Committee of the Branch shall be the first members of the Council of the Society and shall together constitute that Council; and
- (c) subject to the provisions of any rules made under this Act, Life Associates and Associates of the Branch shall be respectively Life Associates and Associates of the Society.

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