



The Lawyer's Insight

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**CELEBRATING OUR PAST, WITH
A VISION FOR THE FUTURE
- *Happy Independence!***



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THE EDITOR'S INSIGHT

**Celebrating our past,
with a vision for the future.**

As Zambia celebrates 61 years of independence, we are reminded that freedom is not merely the absence of colonial rule - it is the continuous pursuit of justice and equality under the law. The legal profession, perhaps more than any other, sits at the heart of this pursuit. Each generation of lawyers inherits both the victories and unfinished business of the past, tasked with shaping laws and institutions that reflect the spirit of our people and the values of our Republic.



This Special Independence Edition of *The Lawyer's Insight* celebrates that journey - one that is marked by resilience, reform, and renewal. Our contributors trace the evolution of Zambia's constitutional order, human rights frameworks, and key sectoral reforms, from aviation law to pensions and public accountability. Each article underscores that our independence has meaning only when it is grounded in justice and responsive governance. As we honour the visionaries who fought for Zambia's independence and the lawyers who have since defended her democracy, let us also look ahead. The next 60 years will demand a profession that is more innovative, inclusive, and digitally adaptive - yet unwavering in its commitment to the rule of law.

To our contributors, sponsors and readers - thank you for continuing to make *The Lawyer's Insight* a platform for dialogue and learning. May this edition inspire renewed dedication to the ideals that define both our nation and our noble profession.

Happy 61st Independence Anniversary, Zambia.

Misozi Hope Masengu
Editor | Council Member

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FROM THE PRESIDENT'S DESK

Greetings to the Membership.

As we commemorate Zambia's 61 years of independence, we are reminded that freedom is not only a gift of history, but also a responsibility to build stronger institutions and a more just society. The Law Association of Zambia (LAZ) continues to honour this legacy through our commitment to professionalism, service, and the rule of law.

Over the past months, the Association has achieved several significant milestones which I am proud to share with you. I am particularly delighted to report that we successfully hosted the first-ever LAZ Legal Careers Fair and Expo, held under the theme *"Identifying Legal Talent for Tomorrow's Opportunities."* The event brought together seasoned practitioners, emerging professionals, and key institutions across the legal sector, creating an inspiring platform to mentor and connect the next generation of Zambian lawyers. The success of this inaugural event sets a strong foundation for what will now become an annual fixture on our professional calendar.

In keeping with our strategic focus on collaboration and capacity building, LAZ also signed a Memorandum of Understanding (MoU) with the Chandler Institute of Justice (CIJ) to enhance law reform, professional development, and access to justice in Zambia. Similarly, our engagement with the Institute of Estate Agents of Zambia (IEAZ) has opened new avenues for partnership in real estate practice and ethics, reflecting our continued commitment to strengthening professional standards across sectors.

We are also honoured to welcome 232 new advocates to the Zambian Bar, marking yet another milestone in the growth of our profession. To our newest members, I extend heartfelt congratulations and a call to serve with integrity, humility, and courage.

Finally, we continue to play an active role in matters of constitutionalism, governance, and public accountability, consistent with our statutory mandate. LAZ in collaboration with the Church and civil society organisations under the banner of Oasis Forum, issued its position on the current Bill 7 centered constitutional reforms being driven by the Technical Committee appointed to consult and draft the constitution. LAZ's principled stance has always been that any reform of the supreme law of the land must be broad-based, holistic, not piece-meal and not rushed, and must

include the expansion of the bill of rights to include economic and social rights for the benefit of citizens.

As we reflect on 61 years of independence, LAZ remains committed to its collective resolve to use the law as a tool for national development and social transformation. The future of our democracy depends on a legal profession that stands firm in truth and service.

Guided by the 2024–2026 Strategic Agenda, the Council remains resolute in promoting legal excellence, defending the rule of law, and advancing social justice for all.

Thank you once again for your unwavering support to Council. Together, we are shaping a stronger, more dynamic, and impactful Association.

Happy 61 Years, Mother Zambia!

Lungisani Zulu
President
Law Association of Zambia



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61 YEARS OF CONSTITUTION MAKING - A CONSTITUTION FOR EACH REGIME?

By **Daniel S. Libati**, Esq. LLB, LLM (UNZA), AHCZ



Introduction

On Friday, 24th October 2025, Zambia turned 61 years old. It has been six decades and one year since we gained independence from our colonial masters. During this period, our nation has lived under a number of different constitutions - some inherited from our colonial rulers, others crafted by Zambians themselves, and several that were conceived but never fully realized.

In this piece, we look back at Zambia's long and eventful journey of constitution-making. We trace how each political era has sought to define the nation's supreme law and, ultimately, ask whether it is true that every regime has either made or attempted to make a constitution of its own.

1964 – Colonial Constitution

According to the British Hansard of debates of the House of Lords of 26th July 1964 (Volume 260), at exactly 15:19hrs, the Zambia Independence Bill was read for the second

time. Reading the Bill was Andrew Cavendish, the Duke of Devonshire and Minister of State for Commonwealth Relations and for the Colonies. He had this to say:

“The Zambia Independence Bill makes provision for the ending of Her Majesty’s protection over Northern Rhodesia on October 24 of this year ... Shortly after the territory became self-governing, Her Majesty’s Government were in touch with the Government of Northern Rhodesia in regard to the further steps necessary to move forward to full independence ... The Constitution of Zambia will provide for an “executive” President. ... the Bill of Rights ... will be entrenched by a special amendment procedure requiring a referendum, and there will be special provisions for its enforcement. ... The Judiciary is to be independent, and any amendment of the provisions in the Constitution relating to the judiciary will also require the referendum process. The control of public prosecutions is to be in the hands of an independent Director of Public

Prosecutions ... There is to be a Public Service Commission for the Civil Service and there will also be a Judicial Service Commission."

(Andrew Cavendish, the Duke of Devonshire. Second Reading of the Zambia Independence Bill by the Minister of State for Commonwealth Relations and for the Colonies. Viewed at <https://api.parliament.uk/historichansard/lords/1964/jul/20/zambia-independence-bill> on 26th October 2025?)

1973 – One Party Constitution

Not too long after it was made, the 'Colonial Constitution' of 1964 was replaced by another, made by the regime that held power at the time of its making; the United National Independence Party (UNIP). It had come to pass that Zambia was an independent state, free from its colonial masters. However, something appeared amiss, at least to those that held the reins of power. To get a sense of the mood at the time of the making of this 'Constitution', let us take a look at an excerpt of the writings of Pettman in a 1974 edition of the Journal of Modern African Studies, who wrote:

"What little national unity and mobilization had been achieved in the independence struggle declined with the removal of the common enemy. The Government rested on a fragile base, without the support of agreed rules and practices to limit and contain conflict, and without adequate instruments available for the implementation of its policies. So, the search began for a more suitable political system, which could cope with the new needs of independence, and provide for the stability of the state and the survival of the Government."

(Pettman, J. Zambia's Second Republic - The Establishment of a One-Party State. The Journal of Modern African Studies. Vol. 12, No. 2 (Jun., 1974), pp. 231-244 (14 pages): Cambridge University Press).

What followed was that in January 1968, a constitutional amendment was passed and assented to by the President on the 10th of January 1968. In 1973, the Constitution of Zambia Act No. 27 of 1973 was passed by Parliament to bring about a one-party government.



1991, 1996, 2003 and 2011 – 'Multi-Party', 'MMD', 'New Deal MMD' and 'PF' Constitutions

UNIP ultimately lost power in 1991 to the Movement for Multi-Party Democracy (MMD), led by the late Frederick Titus Jacob Chiluba. Following Chiluba's tenure, the MMD was later led by Levy Patrick Mwanawasa from 2001 until his untimely passing in 2008, after which Rupiah Bwezani Banda assumed leadership. Banda's MMD government would eventually lose power to the Patriotic Front (PF), under Michael Chilufya Sata, in 2011.

Prior to the transition from UNIP to the MMD in 1991, Zambia adopted a new Constitution that paved the way for the Chiluba-led government and restored multi-party democracy. Shortly after taking office, President Chiluba initiated efforts to amend the Constitution further, resulting in the 1996 amendments. His successors, Presidents Mwanawasa and Banda, also pursued constitutional reform—most notably through the 2003 Constitutional Review Commission and subsequent processes that continued into their respective administrations.

However, it was not until 2016 that the Patriotic Front (PF), then led by the late Edgar Chagwa Lungu, succeeded in implementing more comprehensive constitutional changes. In all fairness, these reforms were not perfect, but they represented a more substantial effort than that of Frederick

Chiluba's MMD government in 1996. A good summary of the events over that period can be obtained from the Report of the Mung'omba Constitutional Review Commission, which, in part, reads:

"The shift in the political order in Zambia was also catalysed by serious economic difficulties, which by 1990 had reached extreme levels. There was overwhelming public support in favour of the move towards multi-party democracy. This culminated in the 1991 Constitution, the thrust of which was the re-introduction of plural politics."

Thus, after coming into power in 1991, the MMD Government initiated another constitution review. The Constitution Review Commission, led by Mr. John Mwanakatwe, SC, made far-reaching recommendations. ... By and large, the 1996 amendment to the Constitution was considered to lack popular legitimacy, as it did not take into account most of the submissions made by the people."

On the 17th of April 2003, by Statutory Instrument No. 40 of 2003, His Excellency the President, Mr. Levy Patrick Mwanawasa, SC, in exercise of the powers under the Inquiries Act, Cap. 41, appointed a Commission, chaired by Mr. Wila D. Mung'omba, to review the Constitution of Zambia."

(Secretariat. 2005. Report of the Mung'omba Constitutional Review Commission at pages xxvi and xxvii)

Fast forward to 2011, President Sata and the PF were in office and had taken over the reins of power. It was reported by the Times of Zambia that:

"President Michael Sata has named a 20-member technical committee to draft a new Republican Constitution with emphasis that the experts should consult widely as they formulate the important national document. According to the terms of reference of the committee, it was expected that the draft Constitution of Zambia Bill 2012 would be tabled in Parliament in 2012."

(17th November 2021. Zambia: Sata Names Constitution Technical Committee. AllAfrica website viewed at <https://allafrica.com/stories/201111170603.html> on 26th October 2025)

Ultimately, it was the Edgar Lungu led government of the PF that superintended over the passing of the 2016 amendments to the Constitution. It should be noted that this included a failed attempt at passing an enhanced Bill of Rights. In a statement issued by the Chairperson of the Non-governmental Organizations' Coordinating Council (NGOCC), Sara Longwe, the Women's body, had this to say about the failure of the referendum:

"The results of the National Referendum, however as announced by the ECZ, which doubles as the Referendum Commission, on Friday August 19th, 2016, do not come as a surprise but rather confirm the fears that NGOCC had about this process. As we have stated before, we were not opposed to the holding of the national referendum to expand the Bill of Rights. We were, however, opposed to the holding of the two national processes together as the outcome would be affected by the politicization of the national referendum."

(Longwe, S. 2016. NGOCC Position on the failed National Referendum. NGOCC website. Viewed at <https://ngocc.org.zm/ngocc-position-on-the-failed-national-referendum/> on 26th October 2025).

2025 – 'New Dawn' UPND Constitution

Not too long before Zambia celebrated its 61st birthday, the President Mr. Hakainde Hichilema of the ruling United Party for National Development (UPND), in keeping with the traditions of those that have held that office before him, announced the appointment of the UPND led government's own 'Technical Committee' to amend the Constitution. A section of our local media covered the appointment as follows:

"President Hakainde Hichilema has appointed a Technical Committee tasked with conducting wide-ranging public consultations and drafting amendments to the Constitution of Zambia. The 25-member committee is chaired by retired"

Supreme Court Judge Christopher Mushabati, with Dr Landilani Banda serving as the Vice Chairperson and Spokesperson. Other members include Dr Felicity Kalunga, Bishop David Masupa, Grace Sinkamba, Isaac Mwanza, Gregory Chifire, Chief Chamuka, Chief Nyampande and Bishop Paul Mususu, among others. The committee includes legal experts, various faith leaders, traditional leaders and members from civil society. According to a statement issued by State House Chief Communications Specialist Clayson Hamasaka, the President confirmed that the appointments follow dialogue and engagement with traditional, religious and civil society stakeholders.”

(Mofya, M. 3rd October 2025. HH appoints committee to consult people, draft constitutional amendments. NewsDiggers website. Viewed at <https://diggers.news/local/2025/10/03/hh-appoints-committee-to-consult-people-draft-constitutional-amendments/> on 26th October 2025).

Conclusion

In conclusion, it is evident that Zambia has had several Constitutions over the years - beginning with the one inherited from our colonial masters, followed by the 1973 Constitution introduced under UNIP, the multi-party Constitution of 1991, the MMD's 1996 amendments, and the most comprehensive reforms undertaken by the PF government in 2016. After 61 years of independence, the nation once again finds itself engaged in the process of constitutional reform. In all fairness, it can be said that every regime that has held power has, in one way or another, sought to amend or redefine the country's supreme law - though not all have succeeded in their efforts. Whether the current UPND government will achieve what others before it could not, remains to be seen.

Belated happy birthday, Zambia!



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RECLAIMING INDEPENDENCE THROUGH HUMAN RIGHTS-BASED LAW – A LOOK AT LEGAL REFORMS SINCE INDEPENDENCE

By Rose Tembo

As Zambia marks another year of independence, it is an opportune moment to reflect on how the nation's legal landscape has evolved to strengthen the rights and freedoms of its people. From the repeal of colonial-era statutes to the enactment of progressive laws rooted in dignity, equality, and justice, Zambia's legal reforms have played a pivotal role in shaping its human rights trajectory.

Over the past decades, constitutional amendments, institutional developments, and landmark legislation have worked sometimes slowly, but steadily to expand protections for vulnerable groups, promote access to justice, and embed accountability in governance.

This article explores key legal reforms that have had a lasting impact on human rights in Zambia, drawing insights from voices at the heart of this transformation: the Human Rights Commission, the Office of the Public Protector, and leading human rights academics. Together, they offer a compelling narrative of progress, challenge, and the enduring promise of a rights-based legal order in an independent Zambia.

1. The 1973 Constitution of Zambia

The 1973 Constitution entrenched fundamental human rights and freedoms for the first time post-independence, including equality



before the law, freedom of speech, and protection from discrimination. Although later amended, it laid the foundation for Zambia's rights-based legal framework.

2. The 1996 Constitution of Zambia

The 1996 Constitution further entrenched a comprehensive Bill of Rights, explicitly guaranteeing freedoms of expression, assembly, association, and access to justice. It marked a shift towards constitutionalism and rule of law, emphasizing the protection of human

rights in governance.

3. Abolition of the Death Penalty-2022

Zambia's decision to abolish the death penalty in 2022 marked a significant human rights milestone. Long criticized by human rights defenders and civil society organizations, capital punishment was retained in law but had not been applied in practice for over two decades. The formal repeal under the Penal Code (Amendment) Act signaled a commitment to the right to life and the global trend

toward humane forms of justice. This reform also aligns with international human rights instruments such as the *International Covenant on Civil and Political Rights (ICCPR)* and the *African Charter on Human and Peoples' Rights*, to which Zambia is a state party. As rightly observed.

“From the abolition of the death penalty to expanded child protection laws, Zambia’s legal reforms have gradually aligned with international human rights standards. What we see today is the cumulative effect of decades of advocacy, judicial courage, and constitutional introspection.”
 (Lecturer, University of Zambia.)

4. The Children's Code Act, 2022

Another landmark reform was the enactment of the *Children's Code Act No. 12 of 2022*, which consolidated various child-related laws into a single comprehensive statute. It introduced significant protection for children in conflict with the law, children in need of care and protection, and survivors of abuse or exploitation. Key human rights advancements include the prohibition of corporal punishment, the introduction of child-friendly court procedures, and the promotion of alternative justice mechanisms such as diversion and restorative justice. The law also aligns with Zambia’s obligations under the *UN Convention on the Rights of the Child* and the *African Charter on the Rights and Welfare of the Child*.

5. Institutional Reforms and the Public Protector's Office - 2016

The creation of the Office of the Public Protector, as provided for under Article 243 of the 2016 Constitution, marked a significant legal reform in advancing administrative justice and public accountability. While the office is still in the process of operationalizing

in some areas, its primary mandate is to investigate complaints of maladministration by members of the public against state institutions and officials in the execution of their administrative functions. This reform is vital to ensuring access to justice, especially for vulnerable populations who face barriers in navigating formal legal systems. It also serves as a safeguard against abuse of power by public officials, thereby reinforcing constitutional values such as fairness, transparency, and dignity.

“The establishment of oversight institutions such as the Office of the Public Protector is a testament to Zambia’s commitment to transparency, fairness, and administrative justice. Legal reforms have not only enhanced our mandate but also reinforced the right of every Zambian to be heard

Key human rights advancements include the prohibition of corporal punishment, the introduction of child-friendly court procedures, and the promotion of alternative justice mechanisms such as diversion and restorative justice.

and protected from acts of maladministration in the public service delivery system.” (Mrs. Caroline Sokoni, The Public Protector.)

6. The Anti-Gender-Based Violence Act, 2011

This groundbreaking legislation addressed the pervasive issue of gender-based violence (GBV) in Zambia by defining and criminalizing various forms of abuse, including domestic violence, sexual offenses, and harmful cultural practices. It introduced protective measures such as restraining orders and support services for survivors, significantly advancing women’s rights and safety. The Act is a vital tool in combating discrimination and promoting gender equality, fulfilling Zambia’s obligations under the *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)*. The law strengthened legal protections against domestic violence, sexual offenses, and other forms of gender-based violence. It provides more support for survivors and harsher penalties for offenders. The Act was strengthened by the 2016 Anti-Gender-Based Violence (Court) rules that outline specific procedural steps designed to expedite the handling of cases related to gender-based violence. By adhering to these procedural steps and timelines, the Rules aim to ensure a more efficient and effective judicial response to cases of gender-based violence.

7. The Marriage Act (Amendment), 2015

The amendment raised the minimum legal age for marriage to 21, aiming to eradicate child marriage, a practice that disproportionately affects girls and impairs their access to education and health. This reform promotes the

rights of the child and gender equality by ensuring that young people can make informed decisions about marriage, thereby safeguarding their physical and emotional well-being.

8. The Electoral Process Reform Act, 2020

The Electoral Process Reform introduced measures to enhance transparency, inclusivity, and fairness in elections. Reforms included improved voter registration systems, stricter oversight of campaign financing, and dispute resolution mechanisms. These changes are crucial for upholding political rights and ensuring citizens' ability to participate meaningfully in democratic governance. The 2020 Electoral Process Reforms included changes to promote fairness, transparency, and inclusiveness in elections, thereby protecting political and civil rights.

9. The Human Rights Commission Act, 2024

The creation of the Human Rights Commission in 1996 was a pivotal step in institutionalizing the protection of human rights in Zambia. The establishment of the Human Rights Commission as an independent body empowered to investigate human rights violations (by the 2024 Act), marked a major institutional reform. It strengthened human rights protection and accountability in Zambia. It also signified a national commitment to dignity, justice, and accountability. Further, the Commission has been granted quasi-judicial powers under the Access Information Act, No. 24 of 2023 which empowers the Commission to receive, hear and determine appeals against decisions of information holders. (*Human Rights Commission of Zambia*)

"The Human Rights Commission

was re-accredited as an A status National Human Rights Institution by the Global Alliance of National Human Rights Institution (GANHRI). This is a testament of the Commission's compliance with the internationally recognized standards – the Paris Principles – to ensure its independence, pluralism, effectiveness and credibility."

(Dr. Pamela Towela Sambo, Human Rights Commission Chairperson-excerpt from statement delivered on January 24, 2025, at Grand Palace Hotel, Lusaka on the state of human rights complaints.)

10. The Legal Aid Act, 2021

The introduction of a legal aid framework expanded access to justice for marginalized and economically disadvantaged populations. It ensured that vulnerable groups could obtain legal representation, thereby upholding the right to a fair trial and equality before the law. The 2021 Legal Aid Act of Zambia replaced the 1967 Act and expands the scope of legal aid to



include legal education, information, advice, assistance, and representation in both civil and criminal cases. It further provides for the regulation of law clinics in the provision of legal aid, and the registration of practitioners, legal assistants, paralegals and legal aid service providers.

Conclusion

Zambia's legal reforms over the years demonstrate that independence is not only a political milestone, but also a continuous journey toward justice and equity. By abolishing the death penalty, protecting children through the Children's Code, and institutionalizing accountability through offices like the Public Protector, the country is reasserting the foundational ideals of dignity, equality, and the rule of law. As rightly observed by the Human Rights Commission of Zambia, "The evolution of Zambia's legal framework—particularly through constitutional amendments—has significantly widened the scope of civil liberties. For example, the inclusion of economic and social rights in our constitutional discourse reflects a shift toward a more people-centered approach to governance." (*Human Rights Commission*).

Yet, legal reform alone is not enough. It is through implementation, enforcement, and judicial interpretation that laws come to life. In this regard, Zambia's courts have played a pivotal role in interpreting constitutional rights and affirming the supremacy of human dignity. As Zambia reflects on its independence, it must also renew its commitment to protection of human rights, especially for the most vulnerable in our society. The reforms discussed in this article reflect a nation actively shaping a more just and rights respecting future, using law as both a shield and a sword in the hands of its people.



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EVOLUTION OF ZAMBIA'S AVIATION LEGAL FRAMEWORK AT 61 YEARS

By **Paikani Mbao**, LAME, LLB, LLM, PG Dip TMTH, AHCZ

Introduction

In 1944, various States convened in Chicago, United States of America, and adopted the Convention on International Civil Aviation (the "Chicago Convention"). This Convention established the International Civil Aviation Organization (ICAO), a specialized agency of the United Nations (UN), mandated to regulate international civil aviation. The Convention sets out rules governing airspace, aircraft registration, and flight safety, as well as the rights and obligations of contracting States with respect to international air travel. Notably, it affirms the principle of complete and exclusive sovereignty of each State over the airspace above its territory and introduces the concept of the "five freedoms of the air," which facilitate the operation of international air transport services across, into, and within the airspace of other States.

Zambia's Legislative Reforms

Zambia is a signatory to the Chicago Convention. This entails that Zambia has international obligations to comply with ICAO standards and recommended best practices as well as regulations. In order to give effect to the requirements of ICAO, Zambia enacted the Aviation Act, Chapter 444 of the Laws of Zambia. The objective of this legislation was to give effect to the Chicago Convention. Notably, the Aviation Act undergone many amendments, one of which was the Amendment Act No 16 of 1989. This amendment (at part 2), provided for the establishment of the National Airports Corporation Limited, which

was later renamed to Zambia Airports Corporation Limited (ZACL)

Furthermore, Section 25 of the Aviation Act was amended to provide for the transfer of designated airports, functions, assets and liabilities to ZACL. This was a great milestone, as it entailed having an independent institution responsible for running the designated airports. Additionally, this was a timely amendment as it provided a shift from having the designated airports being run by a department, namely, the Department of Civil Aviation (DCA) in the Ministry of Transport.

In 2012, a significant milestone was achieved in Zambia's aviation legal framework, when the country enacted the *Civil Aviation Authority Act No. 7 of 2012* ("the CAAA"). This legislation established the Civil Aviation Authority (CAA) and set out its powers, functions, and mandate to regulate and promote civil aviation, with a focus on enhancing aviation safety and security. The enactment of the CAAA was both timely and consistent with international best practices.

Prior to this reform, the civil aviation sector was regulated under the Ministry of Transport, with the DCA overseeing both regulatory and operational functions, including the management of provincial aerodromes. From a governance perspective, this arrangement was problematic, as the DCA acted as both a player and referee in the same industry. The establishment of the CAA through the CAAA introduced a major shift in the sector. Management of provincial and

strategic aerodromes was transferred to the ZACL, while the CAA assumed exclusive responsibility for regulating and overseeing the aviation industry, as provided under the CAAA.

Subsequently, in 2016, Zambia enacted the *Civil Aviation Act No. 5 of 2016*, which repealed several earlier pieces of legislation, including the Aviation Act, and provided for a more modern, robust, and efficient legal and institutional framework for the management of civil aviation in the country.

From the foregoing, it is evident that Zambia has undergone a remarkable transformation in its aviation legal regime, reflecting substantial progress and alignment with global standards in numerous areas.

Conclusion

Reflecting on Zambia's 61 years of independence, it is evident that we have made so many strides in the legal framework governing the aviation industry in general. However, there is need to sustain the gains made this far, by continuously studying the developments so as not to remain behind. At the same time, we should not compromise on best and standard practices. One of the areas which requires action in terms of the law is the management of Artificial Intelligence (AI) in the aviation sector. Clearly, AI is here to stay, and we need to make use of it and at the same time, manage it effectively and efficiently.

SAFEGUARDING DIGNITY IN RETIREMENT: KEY COMPLIANCE PROVISIONS OF THE NATIONAL PENSION SCHEME ACT, NO. 40 OF 1996

By **Ostridah Zgambo Chirwa** : Legal Manager - Regulatory and Enforcement at the National Pension Scheme Authority(NAPSA)



As Zambia marks another year of independence, we celebrate not only the nation's political freedom, but also the enduring pursuit of social and economic security for all its citizens. One of the most significant expressions of that freedom is the right of every worker to social protection, the assurance that after years of service, one's dignity in retirement is preserved.

At the centre of this national promise stands the National Pension Scheme Authority (NAPSA), a statutory body established under the National Pension Scheme Act No. 40 of 1996(the "Act") to provide social security income in old age, invalidity, and death through the collection of statutory contributions, the investment of the said contributions, and the payment of pension benefits as and when they fall due.

For legal practitioners, understanding the key compliance

obligations under this Act is both a professional necessity and a patriotic duty.

1. Membership to the Scheme

At the heart of the Act lies the principle of universal social protection. Section 11 of the Act provides that every person between the ages of 16 and 60 is eligible to be a member of the Scheme. This inclusive approach ensures that nearly all persons engaged in formal employment fall under its protective umbrella.

In addition, individuals who were members of the Zambia National Provident Fund (ZNPF) and who, at the time the Act came into force, were below the pensionable age, automatically qualified for membership. This seamless transition from the ZNPF to the National Pension Scheme preserved accrued pension rights.

In 2019, the Authority also extended its membership to the informal economy through the enactment of the National Pension Scheme (Informal Sector) (Membership) Regulations S.I No 72 of 2019. Self-employed workers in the informal economy are eligible to register and contribute to the Scheme under more flexible arrangements. Informal sector benefits include retirement, invalidity, survivors and maternity benefits. The scheme also pays a family funeral grant on the death of a contributing member's registered spouse, child or dependant. Other short-term benefits include access to credit and weather index insurance which benefits are facilitated through the Authority's collaboration with third parties providing the said services.

2. Who is a contributing employer under the Act

Section 12 of the Act defines a contributing employer broadly to include any person, association, institution, firm, the Government of the Republic of Zambia, local authority, parastatal or statutory body that employs persons who qualify for membership under Section 11. Section 11 provides that every person who is between the age of 16 and 60 and who is employed by a contributing employer is eligible to be a member of the scheme.

For legal firms, this means compliance is not optional. It is mandatory and a standing requirement. Beyond ensuring that your own staff are registered and contributing, lawyers advising clients must help them interpret and fulfil their obligations under Sections 11 and 12 to avoid non-compliance and possible litigation.

3. Registration of contributing employers

Under the Act, registration is the first formal step towards compliance (sec 13 of the Act). Every contributing employer is required to register with the Authority within one month of engaging an employee. This obligation ensures that all eligible employees are promptly registered and that their contributions begin to accrue without delay. Legal advisors should remind clients that failure to register within a month of engaging an employee constitutes a statutory offence, exposing the employer to possible enforcement action by the Authority.

4. Responsibility for the Payment of contributions

Once registered as a contributing employer, the employer bears the statutory duty to remit pension contributions on behalf of every employee. Under the Act, the current contribution rate is 10% of the employee's gross earnings, shared equally between the employer and the employee, 5% from the employee and 5% from the employer. The employer is responsible for deducting the employee's portion at source and remitting the combined 10% to the Authority by the 10th day of the following month. This obligation is central to the sustainability of the Scheme and the protection of employees' future benefits. Failure to remit contributions within the prescribed time attracts penalties, and potential prosecution. For legal practitioners, understanding this obligation is not only a compliance necessity, but also a matter of ethical and fiduciary responsibility.

5. Offences and Penalties under the Act

Under the Act, it is an offence to:

- Fail to register as required within the prescribed period;
- Fail to produce documents or information when lawfully required to do so by NAPSA;
- Fail to remit statutory contributions within the specified time; or
- Obstruct or hinder an inspector or officer of NAPSA in the discharge of their duties.

Legal firms can support clients through compliance audits, voluntary disclosure, and negotiated settlements where arrears have accrued. This preventive approach reinforces the national principle of accountability.

6. Protecting Members' Rights

Beyond compliance, the Act provides for the pension benefits payable under the Act. These include pre-retirement lumpsum (commonly referred to as partial), retirement, invalidity, survivors' benefits and funeral grant payable on the death of a member.

Key Takeaway

As we commemorate our 61st Independence Anniversary, we are reminded that freedom is sustained by responsibility. Just as our forebears honoured their duty to the nation, today's professionals must uphold their duty to fairness, compliance, and social protection by ensuring that every employer contributes, every employee is protected, and every benefit is honoured as that will strengthen the economic independence of our citizens.

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ZAMBIA'S CONSTITUTIONAL REFORM NEEDS A CLEAR LEGAL FRAMEWORK

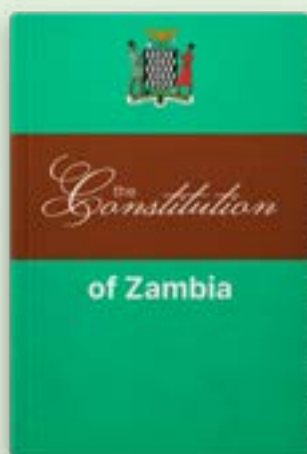
By **Mehluli Malisa Batakathi** - Constitutional Lawyer and Law Lecturer at the Copperbelt University

Introduction

Zambia is once again attempting to amend its Constitution, this time through a 25-member Technical Committee appointed by President Hakainde Hichilema on the 2nd of October 2025. The move is constitutionally legal: Article 92(1) of Zambia's Constitution vests executive authority in the President, and clauses 92(2)(f) and 92(2)(j) empower the President to appoint persons for "special duties" and to perform other functions as prescribed. In other words, the President has every right to convene such a committee. Yet legality of appointment alone does not guarantee legitimacy or independence. The current approach highlights a glaring gap: Zambia lacks a dedicated legal framework to guide and protect the constitution-amendment process, leaving it vulnerable to executive dominance and eroding public trust.

Presidential Powers and Their Pitfalls:

Relying on the President's general appointment powers as the basis for constitutional reform is a frail foundation. Articles 92(2)(f) and 92(2)(j) are broad and open-ended, offering none of the procedural clarity or safeguards needed for something as critical as rewriting the national charter. They effectively reduce the 25-member Technical Committee to an extension of the Executive, performing "special duties" on behalf of the President. This raises a serious concern: the committee may operate more like a department of the President's office than an independent body. Without an explicit legal framework defining its mandate, composition, and



obligations, the committee answers only to the President. There is no legal requirement put in place for transparent consultations, publication of findings, or accountability to Parliament or the public. However well-intentioned the current President may be, this ad hoc setup risks undermining the committee's independence and the credibility of any proposals it produces.

The Limits of the Inquiries Act:

One might ask whether existing Zambian law provides an alternative mechanism for constitutional reform. Historically, governments have relied on the Inquiries Act (Cap 41) to set up Constitutional Review Commissions. In the past, Commissions like the Chona (1972), Mvunga (1991), Mwanakatwe (1995), and Mung'omba (2003), reviews were all established under that Act. The Inquiries Act provides that a Statutory Instrument(SI) should be issued, which spells out the terms of reference and procedures for such a Committee or

Commission. Seemingly, this provides a clearer legal basis than an open-ended constitutional clause. Yet, this Act too is deeply flawed as a framework for constitution-making.

The Inquiries Act concentrates extensive powers in the President's hands; from appointing commissioners and defining their mandate, to deciding the fate of their recommendations. As a number of legal scholars have observed, these commissions granted the President excessive power over the process, undermining public participation and legitimacy. Indeed, under the Inquiries Act, the President has the final say: he can accept, modify, or simply reject a commission's proposals at his discretion. This arrangement has historically weakened the independence and credibility of Constitutional review bodies. It is telling that many progressive constitutional recommendations born from past commissions were ultimately shelved by the Executive to protect its political interests. In short, the Inquiries Act model, while providing a veneer of legal process, fails to guarantee independence or public accountability. And aside from the Inquiries Act, Zambia has no other statute specifically governing constitutional reforms.

Comparative Study: Kenya's Participatory Model:

Zambia's ad hoc, executive-driven approach starkly contrasts with Kenya's structured and participatory process during its own constitutional overhaul just over a decade ago. After a failed 2005 referendum, Kenya enacted the Constitution of Kenya Review Act of 2008, to guide the completion of its

constitutional review. This law created a Committee of Experts and, crucially, spelled out the entire Constitutional reform roadmap. From public consultations to a national referendum. Kenya's Review Act ensured that the review process was independent, inclusive, and insulated from executive interference. For example, the Committee of Experts was selected through a transparent, multi-step process: public nominations, vetting by a parliamentary select committee, approval by the National Assembly, and formal appointment by the President.

The law demanded that committee members possess proven expertise in fields like constitutional law, human rights, governance, and more, underlining the importance of technical credibility. Most importantly, the Act guaranteed the committee's independence. It explicitly stated that the Committee of Experts "shall not be subject to the control of any person or authority" in performing its functions. In practice, this meant the Kenyan President could not micromanage the committee or unilaterally alter its work - a stark contrast to the Zambian experience where the President holds overarching control over similar processes.

Kenya's law also hard-wired public participation and transparency into the process. The Committee of Experts was mandated to solicit public views on contentious issues, conduct civic education, and publish a draft constitution for nationwide debate. The review timeline and steps were clearly defined: once the draft was prepared, it went to Parliament for debate but without the power to alter the text, then to a national referendum for final approval. The President's role was limited; he was not a gatekeeper of the new constitution, merely a facilitator who formally received documents at certain stages.

In fact, Kenya's Review Act was a purpose-specific law that self-expired after the new constitution was enacted

via the 2010 referendum. The result was the successful birth of Kenya's 2010 Constitution - a product of broad consultation and public endorsement rather than executive decree. This Kenyan experience shows that a clear legal framework can yield a constitution-making process seen as legitimate and owned by the people, not merely shaped by political interests.

Time for a Zambian Constitutional Reform Act.

Zambia can and should borrow a leaf from Kenya's book. The Zambian government ought to enact a purpose-specific legal framework to govern any constitutional amendment or overhaul process. Such a law would establish the rules of the game from the start, ensuring that no matter who is President, the process follows a path that is independent, transparent, and participatory. Key provisions should include: an independent appointment process for the review body (for instance, involving judicial or parliamentary bodies, not unilateral presidential selection); clear terms of reference and mandate set by law (not at the whim of the Executive); guaranteed public consultation and inclusion at every stage; and a requirement that the final draft be subject to Parliament's deliberation without amendment and a public referendum before becoming law.

The law should also specify the timeline and what happens if disagreements arise, for example, if Parliament rejects the draft and procedures to resolve impasses, so that the process cannot be indefinitely stymied by political maneuvering. Crucially, once the process is underway, the Executive's (President's) role must be limited: he or she would have no power to unilaterally dissolve the committee, alter its recommendations, or cherry-pick which proposals to adopt. In essence, the reform body would be accountable to the public will, not just to the President.

Adopting a legal framework for constitutional reform is not merely a technicality, it is a safeguard for Zambia's democracy. It would prevent the Executive from usurping the process, a problem that has plagued past Zambian constitutional efforts. With a proper law in place, the views of the people are less likely to be "filtered out" by political interests, and popular proposals would not be easily buried in a president's desk drawer. It would also enhance transparency: citizens would know the rules and timeline of reform, see drafts, and have their say, rather than waiting for a behind-closed-doors committee to produce a surprise report. Moreover, a clear framework increases public trust. People are more likely to trust the outcome and thus, the new constitution or amendments, if they believe the process was fair, inclusive, and protected from political interference.

Conclusion

Zambia's current approach to constitutional change, while technically legal, rests on shaky ground. Relying on general executive powers or an antiquated Inquiries Act invites executive overreach and undermines public confidence in the outcome. A new, comprehensive legal framework is urgently needed to anchor the constitutional amendment process in law and principle. By learning from Kenya's success, Zambia can design a process that genuinely reflects the will of the people. Enacting a "Constitutional Reform Act" would ensure that the next Constitution of Zambia is born out of independence, transparency, and popular participation, not merely the grace and favour of the Executive. This is the surest path toward a constitution that both embodies democratic values and commands broad legitimacy in the eyes of Zambians.

MANDATE WITHOUT LAW? LEGAL CONCERNS REGARDING THE 25 MEMBER TECHNICAL COMMITTEE ON THE CONSTITUTIONAL AMENDMENT PROCESS

By Isaac Simbeye, LL.M

Abstract

This paper examines the legal concerns surrounding the appointment of Zambia's 25-member Technical Committee (the "25TC") for constitutional review. The committee was established via a press release, not through a written directive signed by the President as required by Article 93(1) of the Constitution. Its mandate, based on Article 92 of the Constitution, lacks clear terms of reference and formal legal grounding. Unlike previous constitution review bodies, the 25TC was not established under the Inquiries Act or similar legislation. This raises questions about the committee's legitimacy, regulatory oversight, and the lawfulness of its actions. The paper concludes that these procedural shortcomings undermine the validity and transparency of the current constitutional amendment process.

Factual Background

A press release dated 2nd October 2025, was issued by the State House Chief Communications Specialist, Clayson Hamasa, informing the public that pursuant to Article 92(2)(f) and 92(2)(j) of the Constitution of Zambia 2016, the president had appointed a 25-member Technical Committee (25TC) to consult extensively with



the people and draft amendments to the Constitution of the Republic of Zambia. The press release also announced five Drafting Experts to assist the Committee with drafting.

It was further communicated that the Committee is expected to develop a programme of work and undertake wide-ranging consultations, with more details to be provided in due course. The president swore in the 25TC, emphasising that they act with a sense of urgency.

Power of the President Under Article 92 of the Constitution

The side note to Article 92 reads: "Executive functions of [the]

President," suggesting that Article 92 provides for the executive functions of the president. The relevant provisions pursuant to which the 25TC was appointed reads:

"92. (2) Without limiting the other provisions of this Constitution, the President shall—

- (f) appoint persons as are required to perform special duties for the Executive;**
- (j) perform other functions specified by this Constitution or as prescribed."**

It is submitted that, from the wording of Article 92(2)(f), the appointees thereunder are required to perform executive functions. One could conclude that such appointees are intended to discharge executive functions. It follows, that if they are tasked with making consultations and drafting constitutional amendments, these actions are undertaken for and on behalf of the executive. Conversely, Article 92(2)(j) speaks of such appointees performing other functions specified by this Constitution or as prescribed. Under the 2016 Constitution, there are no functions explicitly relating to amending the Constitution. Therefore, it could imply that other functions are prescribed under the Acts of Parliament. Overall, such functions should be regarded as executive functions, according to the side note to Article 92.

Article 93(1) of the *Zambian Constitution 2016*, provides that: "A decision or instruction of the President shall be in writing under the President's signature."

In the case of *Isaac Mwanza v Attorney General /2022/CCZ/009*, the Constitutional Court of Zambia agreed with the Attorney-General's strong argument that, according to Article 93(1) of the *Zambian Constitution 2016*, a direction or instruction by the President has no legal force unless it is reduced to writing and signed by the President. As already highlighted previously, the 25TMC was announced through a Press Release, which was not signed by the President but by the State House Chief Communications Specialist. In this regard, the author contends that the Press Release in question lacks the force of law.

Under the 2016 Constitution, there are no functions explicitly relating to amending the Constitution.

The Express Mandate only pertains to Consultations and not to receiving submissions.

Given that the Press Release serves as the basis for the mandate for the 25TMC, it can be understood that the 25TMC primarily involves consultations, without any obligation to receive or consider submissions in the process of amending the Constitution. It is therefore, contended that Article 92 is not the most appropriate legal basis for initiating the constitutional amendment process.

Nature of the office of the 25TMC

According to Article 266 of the Constitution, a 'public office' means an office whose emoluments and expenses are a charge on

the Consolidated Fund or other prescribed public fund and includes a State office, Constitutional office and an office in the public service, including that of a member of a Commission. In this regard, the author contends that the 25TMC are indeed categorised as a public body or office amenable to the dictates of public law.

Lack of a Prescribed Road Map

In the case of *Derrick Chitala v Attorney General (1995-97) ZR 962*, the Supreme Court cited with approval and adopted the speech of Lord Diplock in the case of *Council of Civil Service Unions and Others v Minister for Civil Service (1984) 3 All ER 935 at 950*, that:

"By illegality, as a ground for judicial review, I mean that the decision maker must understand correctly the law that regulates his decision-making power and must give effect to it."

Similarly, in the case of *Roy Clarke v Attorney General (2004) ZR 297*, the Supreme Court held that:

"Illegality or ultra vires entails that all public bodies and officials must act within the law. Ministers exercise powers as a consequence of statute and the common law, and cannot act beyond those powers as that would be illegal or ultra vires, when considering whether a body has been acting ultra vires, the court will look at the relevant statutory provisions and the purpose of the statute."

From the foregoing, it is argued that no public office can legally exist without laws or rules governing the exercise of its powers. These rules or regulations must be in place, and the lawfulness of exercising power should be assessed against the regulations establishing the public office. To the extent that the 25TMC exists and is intended to conduct public consultations promptly without any terms of reference, the author believes that its legality remains subject to some unresolved legal questions. It is also trite that a public law principle is that a public body or officer cannot act without regulations giving them the power. Further, the 25TMC has no express powers to make rules of procedure for itself, as such rules ought to have been given by the delegating authority.

Lessons from the Previous Works

The **Chona Constitution Review Commission** was legally established under Zambia's Inquiries Act (Cap 41) by President Kenneth Kaunda on March 30, 1972, as a commission of inquiry, with a specific mandate and procedure. The **Mvunga Constitution Review Commission** of 1991 was established under the Inquiries Act to draft a constitution aimed at restoring multiparty democracy after the period of the one-party state. It outlined the procedure and the ultimate aim. The **Mwanakatwe Commission's** legal foundation derived from an appointment made under the Inquiries Act by the President, although this approach to constitution-making through a presidential commission, instead of involving the people or a constituent assembly, was criticised for giving

the president excessive control. The legal basis for the **Mung'omba Commission** (2003) was President Levy Mwanawasa's use of powers under Zambia's Inquiries Act. Following the submission of the Mung'omba Constitution to the Government, the Government established the National Constitutional Conference (NCC) through the National Constitutional Conference Act, No.17 of 2007. It laid out the procedural law for achieving the ultimate objectives.

The author does not claim that the previous commissions and technical committees were perfect. In fact, most of these bodies were criticised for their role in constitution-making, as they granted the President excessive power over the process and potentially undermined public participation and legitimacy. However, what is crucial is that the previous commissions operated within terms of reference guiding their work, whereas the 25TMC lacks such terms and, even worse, it falls under Article 92 without adhering to the requirements of Article 93(1) of the Constitution.

Conclusion

The establishment of the 25-member Technical Committee (25TC) to consult on constitutional amendments raises significant legal concerns. Most importantly, the committee's mandate was announced via a press release signed by a Communications Specialist, rather than through a written and signed directive from the President as mandated by Article 93(1) of the Constitution. This procedural oversight weakens the legal validity of the committee's appointment. Additionally, there is a

lack of clear terms of reference and formal appointment procedures. Furthermore, the absence of explicit terms of reference and procedural guidelines calls into question the lawfulness and legitimacy of the committee's activities, unlike previous constitution review bodies which were created under specific legal frameworks such as the Inquiries Act and functioned with well-defined mandates. The 25TC does not have a solid legal foundation or regulatory oversight. These shortcomings highlight the risk of the committee acting beyond its powers and cast doubt on the validity and transparency of the constitutional amendment process it is intended to support.

Recommendations

- The President should issue a formal, written, and signed directive establishing the 25TC, in compliance with Article 93(1) of the Constitution.
- Clear terms of reference and procedural guidelines should be developed and made public, ensuring the committee operates within a transparent and accountable legal framework.
- Consideration should be given to establishing the committee under the Inquiries Act or similar legislation, as was done with previous constitution review commissions.
- The process should be inclusive, allowing for meaningful public participation and submissions.

LAZ ACTIVITIES LATELY...

By Gloria Mumba – Kalambo, LAZ Communications Officer

PRESS STATEMENTS

COALITION AGAINST BILL 7

On Monday, 10th November 2025, the Oasis Forum, a coalition of church bodies, civil society organisations, and LAZ, re-launched the “Coalition Against Bill 7,” voicing strong opposition to the current Constitutional Reform process. The Forum raised concerns that the process mirrors the shortcomings of Bill No. 7 of 2025, is non-inclusive, and does not serve the interests of citizens. It announced that it would not participate in the Technical Committee’s consultations and intends to petition the Constitutional Court to declare the process null and unconstitutional.

The Forum also said it would write to the President urging him to halt the process, engage Members of Parliament to uphold constitutional principles, and launch a nationwide “Black Friday” protest campaign. Activities planned include wearing black symbols, placing black car disks, coordinating car honking from 15:00 to 17:00 every Friday, and conducting a march from Freedom Statue to State House on 28th November 2025 to demonstrate public opposition to the proposed amendments.

LAZ CONDEMNS VIOLENT INCIDENTS IN CHINGOLA

On 9th November 2025, the Law Association of Zambia (LAZ) issued a Statement condemning the violent incident that occurred in Chingola on Saturday, 8th November 2025. According to the Zambia Police, at around 14:00 hours, President Hakainde Hichilema, who was addressing residents at Chiwempala Market, was forced to abandon the meeting after riots broke out, resulting in attacks on civilians and damage to property. In its statement, LAZ strongly denounced the use of violence and unconventional methods, calling on Zambians to respect the Office of the President. The Association also urged citizens to uphold the dignity of the office and to treat it with admiration.



232 CALLED TO THE BAR

On Tuesday, 21st October 2025, the first cohort of 100 advocates was to the Bar, followed by a second cohort of 100 advocates on Wednesday, 22nd October 2025. The final cohort of 32 advocates concluded the week's ceremonies, marking the successful admission of all 232 new members to the Zambian Bar. To commemorate this important milestone, LAZ hosted a Sherry Party in honour of the new advocates. The event provided an opportunity to warmly welcome them into the noble and honourable legal profession.

LAZ celebrates this remarkable achievement and proudly welcomes each of the new advocates to the Bar. The Association encourages them to uphold the highest standards of integrity, professionalism, and service as they embark on their legal careers.



LAZ AND CHANDLER INSTITUTE OF JUSTICE SIGN MOU

On Monday, 20th October 2025, the Chandler Institute of Justice (CIJ) paid a courtesy visit to the Law Association of Zambia (LAZ) to explore potential areas of collaboration. During the visit, both organizations signed a Memorandum of Understanding (MoU) to work together on law reform initiatives, capacity-building programs, and knowledge-sharing activities in Zambia. The partnership is aimed at promoting good governance and enhancing access to justice across the country. This collaboration underscores the commitment of both CIJ and LAZ to strengthening the rule of law and supporting initiatives that foster legal development and professional excellence in Zambia.



LAZ ENGAGES WITH THE INSTITUTE OF ESTATE AGENTS OF ZAMBIA



On Monday, 20th October 2025, the Law Association of Zambia (LAZ) held a productive engagement with the Institute of Estate Agents of Zambia (IEAZ) to explore areas of mutual interest and potential collaboration. The discussions focused on strengthening cooperation in real estate practice, promoting ethical standards, and enhancing legal and professional awareness within the property sector. This engagement reflects LAZ's commitment to fostering partnerships that support professional development, good governance, and the rule of law across related sectors.

LAZ SUCCESSFULLY HOSTS INAUGURAL 2025 LAZ LEGAL CAREERS FAIR/EXPO



The Law Association of Zambia (LAZ), through the Junior Lawyers Committee (JLC) proudly held the inaugural 2025 LAZ Legal Careers Fair/Expo, held under the theme “Identifying Legal Talent for Tomorrow’s Opportunities.”

The event was graced by the Guest of Honour, Lady Justice Nicola Ann Sharpe-Phiri, whose inspiring address set the tone for a day of motivation and engagement. Distinguished speakers, including Ms. Linda Kasonde, Mr. Sydney Chisenga, Dr. Chipso Nkhata, Mr. Gilbert Pindani, Mr. Lubinda Linyama, Ms. Situlile K. Ngatsha, and Mr. Dickson Jere, shared invaluable insights with aspiring legal professionals, equipping them for future opportunities in Zambia’s legal sector.

A big thank you goes to all exhibiting institutions, law firms, and participants whose energy and commitment contributed to the event’s success. Exhibitors included:

The Judiciary of Zambia | National Prosecution Authority | Ministry of Justice - Office of the Auditor General | Ministry of Lands and Natural Resources | University of Lusaka (UNILUS) | Ministry of Health | UBA Zambia | Mbulo & Partners | Bowmans (B&M Legal Practitioners) | Eric Silwamba, Jalasi & Linyama | Kolokoni & Company | Professor George Mpundu Kanja

Together, the event showcased the strength, diversity, and vibrancy of Zambia’s legal community.

The Junior Lawyers Committee looks forward to welcoming participants to the 2nd Annual LAZ Legal Careers Fair and continuing to nurture the next generation of legal talent.

REMEMBERING THE SOUL OF OUR DEPARTED MEMBER



MR. KENSLICK MWAMBA SIMBAO

Mr. Kenslick Mwamba Simbao of Messrs Mulungushi Chambers passed away on Saturday, 1st November 2025, at ZNS Clinic. He was called to the Zambian Bar in 1978.

On Wednesday, 5th November 2025, the Law Association of Zambia (LAZ) joined family and friends of Senior Counsel Simbao in paying their final respects. The burial procession was preceded by a valedictory session held in his honour at the Supreme Court of Zambia. He is remembered as a humble legal giant who commanded deep respect within the legal fraternity and society at large.

May his soul rest in peace.



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LAZ ACTIVITIES IN PICTURES

LAZ Welcomes 232 New Advocates to the Bar with Sherry Parties







The Lawyer's Insight

A LAZ NEWSLETTER • SPECIAL INDEPENDENCE EDITION • ISSUE 8, NOVEMBER 2025

PUBLICATION CALENDAR

January 30th - Submission Deadline

February - Newsletter published
(Special Women's Month edition)

March 30th - Submission Deadline

April - Newsletter published

May 30th - Submission Deadline

June - Newsletter published

July 30th - Submission Deadline

August - Newsletter published

September 30th - Submission Deadline

October - Newsletter published (Special
Independence Celebrations Edition)

November 30th - Submission Deadline

December - Newsletter published
(Special Xmas Edition)

UPCOMING EVENTS

LAZ End of Year Party - Lusaka

Date: 12th December 2025

Venue: Protea Hotel -Arcades

Charges: ZMW1,000 PP

LAZ End of Year Party - Ndola

Date: 5th December 2025

Venue: Baluba Hotel

Charges: ZMW800 PP

LOOK OUT FOR THE NEXT EDITION!

Look out for our Christmas Edition!

If you would like to join the Editorial Team and be a contributor, please send all expressions of interest to the LAZ Secretariat at sakalae@laz.org.zm. All letters, articles, insights, thoughts and activities should be sent to our Secretariat at the same address with the subject "The Lawyer's Insight."

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