

Zambia

Zambia Institute of Diplomacy and International Studies Act, 1995 Chapter 22

Legislation as at 31 December 1996

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Zambia Institute of Diplomacy and International Studies Act, 1995
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Zambia

Zambia Institute of Diplomacy and International Studies Act, 1995

Chapter 22

Published

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[24 of 1995]

An Act to provide for the establishment of the Zambia Institute of Diplomacy and International Studies; to provide for the Board of Governors of the Institute; and to provide for matters connected with or incidental to the foregoing.

Part I – Preliminary

1. Short title

This Act may be cited as the Zambia Institute of Diplomacy and International Studies Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"**auditor**" means the auditor appointed under section nineteen;

"**Board**" means the Board of Governors established under section five;

"**Chairman**" means the Chairman appointed under section seven;

"**committee**" means a committee established under section eleven;

"**Director**" means the Director appointed under section fourteen;

"**Institute**" means the Zambia Institute of Diplomacy and International Studies established by section three;

"**member**" means a member of the Board or a committee;

"**Registrar**" means the Registrar appointed under section fifteen;

"**Vice-Chairman**" means the person elected as Vice-Chairman under section seven;

Part I – The Zambia Institute of Diplomacy and International Studies

[Please note: numbering as in original.]

3. Establishment of Institute

There is hereby established the Zambia Institute of Diplomacy and International Studies for the purpose of conducting training in diplomacy and international relations.

Part III – The Board of Governors

4. Establishment of Board

There shall be a Board of Governors of the Institute which shall be a body corporate with perpetual succession and a common seal, capable of suing and of being sued in its corporate name and with power, subject to the other provisions of this Act, to do all such acts and things as a body corporate may by law do or perform.

5. Seal of Board

- (1) The seal of the Board shall be such device as the Board may determine and shall be kept by the Registrar.
- (2) The affixing of the seal shall be authenticated by the Chairman or the Vice-Chairman and the Registrar or one other member authorised in that behalf by a resolution of the Board.
- (3) Any contract or instrument which, if executed without seal on behalf of the Board by the Registrar or any person generally or specifically authorised by the Board in that behalf, and any document purporting to be a document under the seal of the Board or issued on behalf of the Board shall be received in evidence and shall be deemed to be executed or issued, as the case may be, by the Board without further proof, unless the contrary is proved.

6. Functions of Board

Subject to the other provisions of this Act, the functions of the Board shall be to—

- (a) ensure that the business and undertaking of the institute is carried out;
- (b) formulate the policies of the institute; and
- (c) engage such number of academic, administrative and other staff as the Board may consider necessary and on such terms and conditions as the Board may determine.

7. Composition of Board

- (1) The Board shall consist of the following members who shall be appointed by the Minister.
 - (a) a Permanent Secretary in the Ministry responsible for foreign affairs, who shall be Chairman;
 - (b) a representative from the National Institute for Public Administration;
 - (c) a lawyer representing the Attorney-General;
 - (d) a representative from the Ministry of Science Technical Education and Vocational Training;
 - (e) a representative from the Cabinet Office;
 - (f) a representative from a University in Zambia; and
 - (g) three persons who have long standing diplomatic experience.
- (2) All members except those referred to in paragraphs (a) and (g) shall be nominated by their respective organisations.
- (3) There shall be a Vice-Chairman who shall be elected by the Board from amongst its members.

8. Tenure of office

- (1) A member referred to in sub-paragraphs (e) to (f) of paragraph 1 shall hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment for a further period of three years.
- (2) A member referred to in sub-paragraph (1) may resign his membership upon giving one month' notice, in writing, to the organisation he represents or which nominated him and to the Minister.
- (3) The office of a member shall become vacant—
 - (a) upon his death;
 - (b) if he is absent without reasonable excuse from three consecutive meetings of the Board of which he has had notice;
 - (c) on ceasing to hold the office which he occupies or on ceasing to be a representative of the organisation which nominated him; or
 - (d) if he is declared bankrupt.

9. Remuneration and allowances

A member shall be paid such remuneration or allowances as the Board may, with the approval of the Minister, determine.

10. Proceedings of Board

- (1) Subject to the other provisions of this Act, the Board may regulate its own procedure.
- (2) The Board shall meet for the transaction of business at least once every three months at such places and times as the Chairman may determine.
- (3) A meeting of the Board may be called by the Chairman upon giving notice of not less than fourteen days and shall be so called if not less than five members of the Board 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 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;
 - (b) in the absence of the Chairman, the Vice-Chairman; or
 - (c) in the absence of both the Chairman and the Vice-Chairman, such member as the members present may elect from amongst themselves 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 shall have a casting vote in addition to his deliberative vote.
- (7) 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.
- (8) The validity of any proceedings, act or decision of the Board shall not be affected by any vacancy in the membership of the Board or any defect in the appointment of any member or by reason that any person not entitled so to do took part in the proceedings.
- (9) The Board shall cause to be kept minutes of the proceedings of every meeting of the Board and of every committee established by the Board.

11. Committees of Board

- (1) The Board may, for the purpose of performing its functions under this Act, establish committees and delegate to any committee established such of its functions as it considers fit.
- (2) The Board may appoint as members of a committee established under sub-paragraph (1) persons who are, or are not, members of the Board and such persons shall hold office for such periods as the Board may determine.
- (3) Subject to any specific or general direction of the Board, any committee established under sub-paragraph (1), may regulate its own procedure.

12. Disclosure of interest

- (1) If any person is present at a meeting of the Board or a committee at which any matter is the subject of consideration and in which matter that 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 that matter.
- (2) A disclosure of interest made under sub-paragraph (1) shall be recorded in the minutes of the meeting at which the disclosure is made.

13. Immunity of members

No action or other proceedings shall lie against any member for or in respect of, any act or anything done or omitted to be done in good faith in the exercise or purported exercise of his functions under this Act.

Part IV – Administration

14. Director

- (1) The Board shall appoint, on such terms and conditions as it may determine, a Director who shall be the Chief executive of the Board and who shall, subject to the control of the Board, be responsible for the administration of the Institute.
- (2) The Director, or in his absence the Registrar 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 the Registrar, as the case may be, to withdraw from the meeting.

15. Registrar

- (1) There shall be a Registrar of the Institute who shall be appointed by the Board on such terms and conditions as the Board may determine.
- (2) The Registrar shall be responsible for the day-to-day administration of the institute under the general supervision of the Director.

16. Unauthorised publication or disclosure of documents etc.

- (1) A person shall not, 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.

- (2) Any person who contravenes subsection (1) shall be guilty of 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 twelve months, 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 person he shall be guilty of 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 twelve months, or to both.

Part IV – Financial and other provisions

[Please note: numbering as in original.]

17. Funds of Board

- (1) The funds of the Board shall consist of such monies as may—
 - (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 money by way of grants or donations or in any other form from any source and invest it in such manner as the Board considers fit:

Provided that the Board shall not receive any grant or donation, unless it approves of the purpose to which the grant or donation shall be applied and the conditions, if any, under which the grant or donation is made;
 - (b) raise by way of loans, or otherwise, from any source within Zambia, and subject to the approval of the Minister, from any source outside Zambia, such monies as it may require for the discharge of its functions;
 - (c) charge and collect fees in respect of programmes, publications, seminars, consultancy services and other services provided by the Board; and
 - (d) charge fees for courses, seminars and workshops.
- (3) There shall be paid from the funds of the Board—
 - (a) salaries, allowances and loans of the staff of the Institute;
 - (b) such reasonable travelling, transport and subsistence allowances for members when engaged on the business of the Board at such rates as the Board may, with the approval of the Minister, determine; and
 - (c) any other expenses incurred by the Board in the performance of its functions.

18. Financial year

The financial year of the Board shall be the period of twelve months ending on the 31st December, in each year.

19. Accounts

- (1) The Board shall cause to be kept proper books of account and records relating to its accounts.

- (2) The accounts of the Board shall be audited annually by independent auditors appointed by the Board with the approval of the Minister.
- (3) The auditors' fees shall be paid by the Board.

20. Annual report

- (1) As soon as practicable but not later than six months after the expiry of the financial year, the Board shall submit to the Minister a report concerning its activities during the financial year.
- (2) The report referred to in sub-paragraph (1) shall include information on the financial affairs of the Board.
- (3) 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.
- (4) The Minister shall, not later than seven days after the first sitting of the National Assembly next after the receipt of the report referred to in sub-paragraph (1) lay it before the National Assembly.

21. Regulations

The Minister may, by statutory instrument, make regulations for the better carrying out of the provisions of this Act.