

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 16 OF 2007

The Zambia Development Agency Act
(Act No. 11 of 2006)

The Chambishi Multi-Facility Economic Zone
(Declaration) Order, 2007

IN EXERCISE of the powers contained in section *eighteen* of the Zambia Development Agency Act, 2006, and on the recommendation of the Board, after consultation with the Minister responsible for finance and with the approval of the Cabinet, the following Order is hereby made:

1. This Order may be cited as the Chambishi Multi-Facility Economic Zone (Declaration) Order, 2007. Title
2. The area, comprising the pieces of land described in the First Schedule to this Order, is hereby declared a Multi-Facility Economic Zone to be known as Chambishi Multi-Facility Economic Zone. Declaration of Chambishi Multi-Facility Economic Zone
3. (1) The licensee specified in the Second Schedule to this Order shall provide within the Chambishi Multi-Facility Economic Zone infrastructure and facilities which are suitable for the operation of the industries specified in subparagraph (2) and which shall include— Facilities to be provided by licensee in Chambishi Multi-Facility Economic Zone
 - (a) buildings;
 - (b) electricity;
 - (c) telecommunication facilities;
 - (d) water and waste disposal facilities; and
 - (e) roads.
- (2) The infrastructure and facilities referred to in subparagraph (1) shall be such as are suitable for the operation of—
 - (a) copper processing industries;
 - (b) mechanical industries;
 - (c) light engineering industries;
 - (d) electrical appliance industries;
 - (e) clothing industries;
 - (f) food industries; and
 - (g) medical industries.

Sale of
goods
produced
in multi-
facility
economic
zone

4. The goods produced or services provided in the Chambishi Multi-Facility Economic Zone may be sold, exported or otherwise disposed off in the ordinary course of business.

FIRST SCHEDULE

(Paragraph 2)

CHAMBISHI MULTI-FACILITY ECONOMIC ZONE

The parcels of land comprising the Chambishi Multi-Facility Economic Zone are the following:

1. All that piece of land in extent 7,692.801 acres more or less being the remaining extent of Lot No. 10/M situate at Chambishi in the Copperbelt Province of Zambia being more particularly delineated and described in Diagram No. 512/1962 annexed to the Certificate of Title relating to the said piece of land TOGETHER WITH all unexhausted improvements thereon EXCEPT and RESERVED all minerals oils and precious stones whatsoever upon or under the said piece of land.
2. All that piece of land in extent 3441.207 acres more or less being the remaining of Lot No. 541/M situate at Chambishi in the Copperbelt Province of Zambia being more particularly delineated and described in Diagram No. 363/1968 annexed to the Certificate of Title relating to the said piece of land TOGETHER WITH all unexhausted improvements thereon EXCEPT and RESERVED all minerals oils and precious stones whatsoever upon or under the said piece of land.
3. All that piece of land in extent 3368.3798 acres more or less being the remaining extent of Lot No. 542/M situate at Chambishi in the Copperbelt Province of Zambia and being more particularly delineated and described in Diagram No. 364/1968 annexed to the Certificate of Title relating to the said piece of land TOGETHER WITH all unexhausted improvements thereon EXCEPT and RESERVED all minerals oils and precious stones whatsoever upon or under the said piece of land.
4. All that piece of land in extent 90.8599 hectares more or less being Lot No. 1315/M situate at Chambishi in the Copperbelt Province of Zambia and being more particularly delineated and described in Diagram No. 1115 of 1975 annexed to the Certificate of Title relating to the said piece of land TOGETHER WITH all unexhausted improvements thereon EXCEPT and RESERVED all minerals oils and precious stones whatsoever upon or under the said piece of land.
5. All the piece of land in extent 390 hectares more or less being Lot No. 1382/M situate at Chambishi in the Copperbelt Province of Zambia and being more particularly delineated and described on Sketch Plan No. 5842 dated 13th September, 1972 annexed to the Certificate of Title relating to the said piece of land TOGETHER WITH all unexhausted improvements thereon EXCEPT and RESERVED all minerals oils and precious stones whatsoever upon or under the said piece of land.
6. All that piece of land in extent 2342 hectares more or less being subdivision H of Lot No. 10/M situate at Chambishi in the Copperbelt Province of Zambia being more particularly delineated and described on Sketch Plan No. 9516 dated 12th December, 1977 annexed to the Certificate of Title relating to the said

2nd February, 2007

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- piece of land TOGETHER WITH all unexhausted improvements thereon EXCEPT and RESERVED all minerals oils and precious stones whatsoever upon or under the said piece of land.
7. All that piece of land in extent 25 hectares more or less being subdivision J of Lot No. 10/M situate at Chambishi in the Copperbelt Province of Zambia being more particularly delineated and described on Sketch Plan No. 9516 dated 12th December, 1977 annexed to the Certificate of Title relating to the said piece of land TOGETHER WITH all unexhausted improvements thereon EXCEPT and RESERVED all minerals oils and precious stones whatsoever upon or under the said piece of land and together with a right of way over such strip or strips of land of uniform width not exceeding one hundred metres over the remainder of Lot No. 10/M which is being used or which may be required for any railway lines, roads, tramways, water pipes, power lines and other works to enable the purchaser, its workmen and licensees to gain access and egress from such piece of land.
8. All that piece of land in extent 55 hectares more or less being subdivision K of Lot No. 10/M situate at Chambishi in the Copperbelt Province of Zambia and being more particularly delineated and described on Sketch Plan No. 9516 dated 12th December, 1977 annexed to the Certificate of Title relating to the said piece of land TOGETHER WITH all unexhausted improvements thereon EXCEPT and RESERVED all minerals oils and precious stones whatsoever upon or under the said piece of land.
9. All that piece of land in extent 880 hectares more or less being subdivision C of Lot No. 54 I/M situate at Chambishi in the Copperbelt Province of Zambia and being more particularly delineated and described on Sketch Plan No. 9516 dated 12th December, 1977 annexed to the Certificate of Title relating to the said piece of land TOGETHER WITH all unexhausted improvements thereon EXCEPT and RESERVED all minerals oils and precious stones whatsoever upon or under the said piece of land.
10. All that piece of land in extent 170 hectares more or less being subdivision G of Lot No. 54 I/M situate at Chambishi in the Copperbelt Province of Zambia and being more particularly delineated and described on Sketch Plan No. 9516 dated 12th December, 1977 annexed to the Certificate of Title relating to the said piece of land TOGETHER WITH all unexhausted improvements thereon EXCEPT and RESERVED all minerals oils and precious stones whatsoever upon or under the said piece of land.

SECOND SCHEDULE

(Paragraph 3)

LICENCE HOLDER

China Nonferrous Metal Mining (Group) Corporation

K. KONGA,
*Minister of Commerce,
Trade and Industry*

LUSAKA
2nd February, 2007
[MCT.72/1/21]

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 17 OF 2007

The Customs and Excise Act
(Laws, Volume 18, Cap. 322)

**The Customs and Excise (General) (Amendment)
Regulations, 2007**

IN EXERCISE of the powers contained in section *one hundred and ninety-eight* of the Customs and Excise Act, the following Regulations are hereby made:

1. (1) These Regulations may be cited as the Customs and Excise (General) (Amendment) Regulations, 2007, and shall be read as one with the Customs and Excise (General) Regulations, 2000, in these Regulations referred to as the principal Regulations.

Title and
commen-
cement
S.I. No. 54 of
2000

(2) These Regulations shall come into operation on 10th February, 2007.

2. The principal Regulations are amended by the revocation of regulation 20 and substitution therefor of the following regulation:

Revocation and
replacement of
regulation 20

✓ 20. (1) Entry of a visitor's motor vehicle when imported temporarily in accordance with paragraph (a) of subsection (2) of section *thirty-four* of the Act shall be made in Form CE 5 set out in the Eighth Schedule:

Entry of
visitor's motor
vehicle when
imported
temporarily

Provided that at any port where facilities are provided for the electronic Form CE 5, such facility shall be used.

(2) Except with the written permission of the Commissioner-General, any vehicle imported temporarily into Zambia shall be required to make exit within the authorised period.

(3) There shall be charged, levied, collected and paid in respect of any vehicle which is temporarily imported and remains in Zambia in contravention of sub-regulation (2) a fee at the rate set out in Part 11 of the First Schedule.

3. Regulations 78 of the principal Regulations is amended by the insertion immediately after subregulation (3) of the following new sub-regulation:

Amendment of
regulation 78

(4) There shall be charged, levied, collected and paid in respect of any temporarily imported goods that remain in Zambia beyond the authorised period a fee at the rate set out in Part I I of the First Schedule.

Amendment of
regulation 80

4. Regulation 80 of the principal Regulations

is amended in paragraph (c) by the deletion of the words “ one hundred United States Dollars ” and the substitution therefor of the words “ five hundred United States Dollars ”.

Insertion of
new regulation
85A

5. The principal Regulations are amended by the insertion immediately after regulation 85 of the following new regulation:

Remission of
duty on
deceased
person's effects

85A. (1) Subject to the other provisions of this regulation, a remission of duty shall be granted in respect of household goods and personal effects including one motor vehicle duly registered in the name of a deceased person, imported by a duly appointed administrator of the estate of a deceased person whose remains are returned to Zambia for burial or are buried or cremated outside Zambia if the administrator proves to the satisfaction of the Commissioner-General—

- (a) that the deceased person was a Zambian citizen by decent or naturalization;
- (b) that the death of the deceased person was certified by a duly qualified medical practitioner;
- (c) that the household goods and personal effects were the property of the deceased person before the date of death; and
- (d) that the household goods and personal effects were imported by the administrator at the time of arrival of the remains in Zambia, or, if there is a delay between the arrival and the importation of the goods or where the remains were buried or cremated outside Zambia, that the delay is not unreasonable and is due to circumstances beyond the control of the administrator:

Provided that the period of delay in the importation of the household goods and personal effects referred to in this paragraph shall not exceed six months from the date of the burial or cremation of the deceased.

(2) Any person claiming a remission of duty under subregulation (1) shall lodge a duly completed entry together with a declaration in Form CE 20 as set out in the Eighth Schedule.

(3) The household goods and personal effects on which a rebate of customs duty has been granted under this regulation shall not be sold or otherwise disposed of in Zambia, except with the prior consent of the Commissioner-General and on payment of duty, if any, at the rate leviable at the date of sale or disposal.

(4) The Commissioner-General may, for the purpose of determining the amount of duty payable on any household goods and personal effects sold or disposed off in Zambia after use, take into consideration the depreciation since importation, and shall remit the whole duty if the sale or disposal is effected more than five years after the date upon which the rebate was first granted.

6. Regulation 86 of the principal Regulations is amended in subregulation (2) by the deletion of the words “two hundred and fifty United States Dollars” and the substitution therefor of the words “five hundred United States Dollars”.

Amendment
of regulation
86

7. Regulation 89 of the principal Regulations is amended—

Amendment
of
regulation 89

(a) in subregulation (1) by the deletion of the words “Investment Centre” and the substitution therefor of the words “Zambia Development Agency” and

(b) in subregulation (4) by the deletion of the definition of “Investment Centre” and substitution therefor of the following new definition:

“Zambia Development Agency” means the Zambia Development Agency established under section three of the Zambia Development Act, 2006.

Act No. 11 of
2006

8. Regulation 89A of the principal Regulations is amended—

Amendment of
regulation 89A

(a) by the deletion of the words “Investment Centre” and the substitution therefor of the words “Zambia Development Agency”

(b) by the insertion immediately after paragraph (a) of the following new subsection:

(b) trailers;

(c) by the renumbering of subsections (b) and (c) as (c) and (d) respectively.

9. The principal Regulations are amended by the insertion immediately after regulation 89B of the following new regulation:

Insertion of
new regulation
89C

89C (1) The Minister may, on the recommendation of the Director-General of the Zambia Development Agency approve a rebate, refund or remission, for five years, of the whole or any part of the duty, paid or payable in respect of raw materials, machinery, equipment and such other capital goods, other than spare parts therefor, required for use in priority sectors of multi-facility economic zones.

Rebate, refund
or remission
of duty on
goods in
multi-facility
economic
zone

(2) Any rebate, refund or remission approved pursuant to this regulation shall be as determined by the Minister and shall be—

- (a) on condition that the goods in respect of which a rebate, refund or remission is approved shall not be sold or otherwise disposed off except with the prior consent of the Commissioner-General and upon payment of duty, if any, at a rate leviable at the date of such sale or disposal; and
- (b) on such conditions as the Commissioner-General may determine.

(3) The Commissioner-General may, for purposes of determining the amount of duty payable on any article under paragraph (a) of subregulation (2), take into consideration the depreciation of the article since it was imported, removed in bond or purchased from open stocks, as the case may be, and The Commissioner-General shall remit the duty if the sale or disposal is effected more than five years after the date when the rebate, refund or remission of duty was granted.

(4) In this regulation—

“priority sector” has the meaning assigned to it by the Zambia Development Agency Act, 2006; and

“multi-facility economic zone” has the meaning as assigned to it by the Zambia Development Agency Act, 2006.

Act No. 11 of
2006

Act No. 11 of
2006
Amendment
of First
Schedule

10. The First Schedule to the principal Regulations is amended—

- (a) in Part 1 by the deletion of the number “1000” and substitution thereof of the number “3000”; and
- (b) in Part 6 by the deletion in the fees column opposite items (a), (b), (c), (d), (e) and (f) of the number “10” and substitution thereof of the number “25”.

Amendment
of Third
Schedule

11. The Third Schedule to the principal Regulations is amended by the insertion in the appropriate places of the organisations set out in the Appendix to these Regulations.

APPENDIX
(Regulation 11)

Amendment to the Third Schedule

APPROVED ORGANISATIONS

- (a) Save the children Norway
(b) World Fish Centre

N. P. MAGANDE,
Minister of Finance and
National Planning

LUSAKA

8th February, 2007

[MFB.103/17/30]