

Zambia

Zambia Police Act, 1965

Chapter 107

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Zambia

Zambia Police Act, 1965

Chapter 107

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[43 of 1965; 40 of 1974; 23 of 1985; 13 of 1994]

An Act to provide for the organisation, functions and discipline of the Zambia Police Force and of special constables and for matters incidental thereto.

Part I – Preliminary

1. Short title

This Act may be cited as the Zambia Police Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"**Assistant Commissioner**" includes a Senior Assistant Commissioner;

"**discharge**" means the removal, after due notice, from office of a police officer;

"**dismiss**" means the removal, without due notice, from office of a police officer;

"**divisional commander of police**" means a superior police officer appointed by the Inspector-General to be in charge of a police division, or, if no such officer has been appointed in relation to any police division, the Inspector-General;

"**due notice**" means the notice of retirement, resignation, discharge or dismissal, as the case may be, that a police officer is required to give or to be given in accordance with the conditions of service applicable to him;

"**the Force**" means the Zambia Police Force established by law;

"**Inspector**" includes a Chief Inspector, a Senior Inspector and an Sub-Inspector;

"**Inspector-General**" means the Inspector-General of Police;

"**officer in charge of police**" means the police officer appointed by the Inspector-General to be in charge of the police stationed in any place;

"**pay**" means the salary of a police officer in his substantive rank, but does not include any allowances which have not been specifically stated to be pensionable;

"**police officer**" means any member of the Force;

"**police station**" means any place appointed by the Inspector-General to be a police station and includes any local area policed from such station;

"**public place**" includes—

- (a) any highway, market place, square, road, street, bridge or other way which is lawfully used by the public;

- (b) any place, other than a building, to which the public are for the time being entitled or permitted to have access either without any condition or upon condition of making any payment;

"**superior police officer**" means any police officer of or above the rank of Assistant Superintendent;

"**Tribunal**" means a police officer empowered under this Act to try offenders under section thirty.

[As amended by Act [No. 40 of 1974](#)]

Part II – Composition and administration

3. Inspector-General to have entire command

- (1) The Inspector-General shall, subject to the orders and directions of the President, have the command, superintendence, direction and control of the Force.
- (2) The Inspector-General may, subject to the general instructions of the Minister and to the provisions of this Act and any regulations made thereunder, from time to time make standing orders for the general government of police officers in relation to their training, arms and accoutrement, clothing and equipment, places of residence, classification and duties, as well as to their distribution and inspection, and such other orders and instructions as he may deem expedient for preventing neglect and for promoting efficiency and discipline of police officers in the discharge of their duties.
- (3) Save where a contrary intention appears, the Inspector-General may delegate any of the powers vested in him by this Act or any regulations, rules, orders or notices made thereunder or, by any other written law, to a police officer not below the rank of Assistant-Commissioner

[As amended by Act [No. 40 of 1974](#)]

4. Composition of the Force

- (1) The Force shall consist of such numbers of the ranks set out in the First Schedule as the President may direct.
- (2) Police officers shall rank for seniority in the order shown in the said Schedule.
- (3) Where a police officer, other than a superior police officer, has been appointed to the Criminal Investigation Department or Special Branch, the word "Detective" shall precede the title of the rank held but the rank and seniority of such officer shall be the same as if he had not been so appointed.
- (4) The President may, by statutory instrument, amend the First Schedule.

5. Functions of the Force

The Force shall be employed in and throughout Zambia for preserving the peace, for the prevention and detection of crime, and for the apprehension of offenders against the peace and, for the performance of such duties, may carry arms.

6. Administration of the Force

- (1) The administration of the Force throughout Zambia shall be vested in the Inspector-General
- (2) The control of the police in any place shall be vested in such police officer as may be appointed by the Inspector-General under this section to be in charge thereof.
- (3) An officer in charge of police shall carry out the orders of the Inspector-General in all matters connected with the discipline, internal administration and training of the police officers in his charge.

- (4) A police officer of or below the rank of Sub-Inspector shall not be appointed an officer in charge of police.

[As amended by Act [No. 40 of 1974](#)]

Part III – Attestation, service and discharge

7. Attestation

A police officer shall on his joining the Force be attested to serve in the Force for such period and on such conditions as may be prescribed.

8. Declaration on joining the Force

- (1) A person shall on joining the Force make and sign a declaration before a magistrate or superior police officer in such manner as he may declare to be most binding on his conscience in Form 1 of the Second Schedule.
- (2) A person on joining the Force shall, before making the declaration required by subsection (1), answer truly any question which may be put to him as to his previous service in any military, naval or air force or any other police force, and as to whether he has at any time been convicted in Zambia or elsewhere of a felony or misdemeanour.
- (3) Any person who wilfully makes a false statement in reply to a question put to him under subsection (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred penalty units or to imprisonment for a period not exceeding one month.

[As amended by Act [No. 13 of 1994](#)]

9. Prolongation of service in case of war

Any police officer whose period of service expires during, or who would but for the provisions of this section resign during, any state of war, insurrection or hostilities may be retained and his service prolonged for such further period as the Minister may direct.

10. Termination of appointment of certain police officers

The appointment of any police officer appointed by the Inspector-General may, within six months of his making and signing the declaration required by section eight be terminated by fourteen days' notice on either side or payment of fourteen days' salary in lieu of notice.

[As amended by Act [No. 40 of 1974](#)]

11. Release on completion of service

- (1) Subject to the provisions of this Act, every police officer who has completed his period of service shall be released from service by the officer in charge of police at the place where he is stationed, unless at the date of completion of his service he stands charged with the commission of any offence against discipline under section thirty, in which case his service shall be prolonged and his release from service deferred until he has undergone his trial and any punishment which may be imposed in respect of the offence charged.
- (2) Every such police officer shall, until he has received a certificate of service, remain subject to the provisions of this Act.

12. Arms and accoutrements to be delivered up on ceasing to belong to the Force

- (1) When a person ceases to be a member of the Force, he shall forthwith deliver up to the person appointed by the Inspector-General for that purpose, or to the officer in charge of police at the place at which he was last stationed, all arms, ammunition, accoutrements, uniform and other appointments which have been supplied to him and which are the property of the Government.
- (2) Any person who, having ceased to be a member of the Force, fails to deliver up any arms, ammunition, accoutrements, uniform or other appointments in his possession as required by this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding four hundred penalty units or to imprisonment for three months, or to both, and the court which convicted him may issue a warrant to search for and seize all such arms, ammunition, accoutrements, uniform and other appointments not so delivered up.

[As amended by Act [No. 40 of 1974](#) and [No. 13 of 1994](#)]

Part IV – Powers, duties and privileges of police officers

13. Police officers not to engage in other employment

No police officer shall, without the consent of the Minister, engage in any employment or office whatsoever, other than in accordance with his duties under this Act.

14. General powers and duties of police officers

- (1) Every police officer shall exercise such powers and perform such duties as are by law conferred or imposed upon a police officer, and shall obey all lawful directions in respect of the execution of his office, which he may from time to time receive from police officers superior in rank to him.
- (2) Every police officer shall be deemed to be on duty at all times and may at any time be detailed for duty in any part of Zambia.
- (3) It shall be the duty of every police officer promptly to obey and execute all orders and warrants lawfully issued to him by any competent authority, to collect and communicate intelligence affecting the public peace, to prevent the commission of offences and public nuisances, to detect and bring offenders to justice, and to apprehend all persons whom he is legally authorised to apprehend and for whose apprehension sufficient grounds exist.
- (4) It shall be lawful for any police officer, in the interests of public order or public morality, without a warrant to enter at any hour of the day or night any place in which he has reasonable grounds to suspect that illegal drinking or gambling is taking place or dissolute or disorderly characters are resorting.
- (5) The provisions of this Act shall be in addition to and not in substitution for or in derogation of any of the powers, authorities, privileges and advantages nor in substitution for or in derogation of the duties and responsibilities of a constable at common law.

15. Search by police officers

- (1) Whenever a police officer, of or above the rank of Sub-Inspector, has reasonable grounds for believing that anything necessary for the purpose of an investigation into any offence which he is authorised to investigate may be found in any place within the limits of the police station of which he is in charge, or to which he is attached, and that such thing cannot in his opinion be otherwise obtained without undue delay, that police officer may, after recording in writing the grounds of his belief and specifying therein so far as possible, the thing for which search is to be made, search or cause search to be made for such thing in any place within the limits of such station.
- (2) A police officer proceeding under subsection (1) shall, if practicable, conduct the search in person.

- (3) If a police officer proceeding under subsection (1) is unable to conduct the search in person and there is no other person competent to make the search present at that time, he may, after recording in writing his reasons for so doing, require any police officer subordinate to him to make the search, and he shall deliver to that police officer an order in writing specifying the place to be searched and so far as possible the thing for which search is to be made, and that police officer may thereupon search for the thing in the place so specified in the order.
- (4) The provisions of the Criminal Procedure Code relating to search warrants shall, so far as may be, apply to a search made under this section.

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- (5) Copies of any record made under subsection (1) or (3) shall forthwith be sent to the nearest magistrate empowered to take cognizance of the offence and the owner or occupier of the place searched shall on application be furnished with a copy of the same by the magistrate.
- (6) The occupant of the place searched, or some other person on his behalf, shall in every instance be permitted to attend during the search.
- (7) Any police officer conducting a search of any private premises under the provisions of this section shall produce his police identity card to any person in or about the premises who may wish to confirm the authority of the police officer, and any officer required to make a search of private premises under the provisions of subsection (3) shall in addition carry with him upon such search the order in writing mentioned in the said subsection.
- (8) A police officer who finds the thing for which search is made shall seize it and take it before the nearest magistrate empowered to take cognizance of the offence.

16. Right of entry in case of fire

Any police officer may break into and enter upon any premises being or appearing to be on fire, or any premises or land adjoining or adjacent thereto, without the consent of any person, and may do all acts or things as may be deemed necessary for extinguishing the fire on any premises or land, or for protecting the same or other property, or rescuing any person or property thereon from fire.

17. Power to take photographs, measurements, fingerprints, etc.

- (1) Any police officer of or above the rank of Sergeant may on the prescribed form take or cause to be taken in his presence, for the purpose of record and identification, the measurements, photographs, fingerprints, handprints and footprints of any person in lawful custody.
- (2) A police officer acting in accordance with subsection (1) shall certify on the form prescribed that the fingerprints have been taken by him, or that he has caused them to be taken in his presence, in accordance with the directions contained on the form, and that the particulars entered on the form are, to the best of his knowledge and belief, accurate and true.
- (3) All records of the measurements, photographs, fingerprints, handprints, and footprints and any negatives and copies of such photographs, or of photographs of such fingerprints, handprints and footprints, taken of a person under this section shall be forthwith destroyed or handed over to that person, if he is not charged with an offence or is discharged or acquitted by a court, and has not previously been convicted by a court.
- (4) For the purposes of this section, "person in lawful custody" means any person in lawful custody otherwise than on account of non-payment of a civil debt or under an order, writ or judgment of a court made or given in civil proceedings or under an order for detention made under any law authorising the detention in custody of witnesses.

18. Power to lay information

It shall be lawful for any police officer to lay any information before a magistrate and to apply for a summons, warrant, search warrant, or such other legal process as may by law issue against any person.

19. No fee to be chargeable on bail bonds

Notwithstanding any other law for the time being in force, no fee or duty shall be chargeable upon bail bonds for criminal cases, recognizances to prosecute or give evidence or recognizances for personal appearance or otherwise issued or taken by a police officer.

20. Power to inspect licences

- (1) It shall be lawful for any police officer to stop and question any person whom he sees doing any act for which a license is required under the provisions of any law for the time being in force, and to require that person to produce his license.
- (2) Subject to the provisions of any written law, any person who fails to produce a licence when so required under subsection (1) by a police officer may be arrested without a warrant unless he gives his name and address or otherwise satisfies the police officer that he will duly answer any summons or other proceedings which may be taken against him.
- (3) Any person who refuses to comply with any lawful requirement of a police officer in the performance of his duty under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding four hundred penalty units or to imprisonment for a period not exceeding three months.

[As amended by Act [No. 13 of 1994](#)]

21. Duty of the Force to keep order on public roads

- (1) It shall be the duty of the Force to regulate and control traffic; to divert all or any particular kind of traffic when, in the opinion of a divisional commander of police or officer in charge of police, it is in the public interest to do so; to close any street in the vicinity of the National Assembly or the High Court for the purposes of preventing the interruption of the proceedings of the National Assembly or High Court by the noise of street traffic; to keep order on public roads, streets, thoroughfares and landing places, and at other places of public resort or places to which the public have access; and to prevent obstructions on the occasions of assemblies and processions on the public roads and streets, or in the neighbourhood of places of public worship during the time of worship and in any case when any road, street, thoroughfare or landing place may be thronged or may be liable to be obstructed.
- (2) Any person who opposes or disobeys any lawful order given by any police officer in the performance of his duty under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding four hundred penalty units or to imprisonment for three months.
- (3) Any person who opposes or disobeys any lawful order given by a police officer in the performance of his duty under this section may be arrested without a warrant unless he gives his name and address or otherwise satisfies the police officer that he will duly answer any summons or other proceedings which may be taken against him.

[As amended by Act [No. 13 of 1994](#)]

22. Traffic barriers and cordons

- (1) Notwithstanding the provisions of any other law, if any police officer of or above the rank of Sub-Inspector considers it necessary so to do for the maintenance and preservation of law and order or for the prevention and detection of crime, he may—
 - (a) erect or place or cause to be erected or placed barriers or cause a cordon to be formed, in or across any road or street or any other public place in such manner as he may think fit;
 - (b) cause a cordon to be placed in or across or around any public place or private property in such manner as he may think fit, and for that purpose it shall be lawful for the police officers forming the cordon, without the consent of any person, to enter any property and do any act or thing necessary for the effective formation of the cordon.
- (2) Where a barrier has been erected or placed or a cordon formed under the provisions of subsection (1), any police officer may take all reasonable steps to prevent any person passing or any vehicle being driven past the barrier or cordon.
- (3) The driver of any vehicle who fails to comply with any reasonable signal of a police officer requiring such driver to stop his vehicle before reaching any barrier erected or placed or cordon formed under the provisions of subsection (1), shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand penalty units or to imprisonment for a period not exceeding twelve months, or to both.
- (4) Any person who breaks through or attempts to break through any barrier erected or placed or cordon formed, under the provisions of subsection (1), shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand penalty units or to imprisonment for a period not exceeding twelve months, or to both.

[As amended by Act [No. 13 of 1994](#)]

23. Non-liability for act done under authority of a warrant

- (1) When the defence to any suit instituted against a police officer is that the act complained of was done in obedience to a warrant purporting to be issued by a Judge, magistrate, or other competent authority, the court shall, upon production of the warrant containing the signature of the Judge or magistrate and upon proof that the act complained of was done in obedience to such warrant, enter judgment in favour of the police officer.
- (2) No proof of the signature of such Judge or magistrate as aforesaid shall be required unless the court has reason to doubt the genuineness thereof, and where it is proved that the signature is not genuine, any act done by the police officer under or in pursuance of the warrant shall nevertheless be lawful and judgment shall be given in favour of the police officer if it is proved that, at the time when the act complained of was committed, he believed on reasonable grounds that the signature was genuine.

24. Power to use firearms

- (1) Any police officer may, subject to subsections (2) and (3), use any firearms which have been issued to him against—
 - (a) any person in lawful custody charged with or convicted of a felony when such person is escaping or attempting to escape;
 - (b) any person who by force rescues or attempts to rescue any other person from lawful custody;
 - (c) any person who by force prevents or attempts to prevent the lawful arrest of himself or of any other person:

Provided that a police officer shall not use any firearms—

- (i) as authorised under paragraph (a) unless the police officer has reasonable ground to believe that he cannot otherwise prevent the escape and unless he shall give a warning to such person that he is about to use firearms against him and the warning is unheeded;
 - (ii) as authorised under paragraph (b) or (c) unless the police officer has reasonable ground to believe that he or any other person is in danger of grievous bodily harm and that he cannot otherwise effect such arrest or prevent such rescue.
- (2) A police officer shall not, in the presence of his superior officer, use a firearm against any person except under the orders of that superior officer.
- (3) The use of firearms under this section shall as far as possible be to disable and not to kill.
- (4) The authority vested in a police officer by subsection (1) shall be in addition to and not in substitution for any authority to use firearms vested in a police officer by any other law.

25. Power to seize weapons

- (1) Whenever any person goes armed with any weapon in public, without lawful excuse, in such manner as to cause or be likely to cause terror to any other person, any police officer may seize that weapon.
- (2) For the purposes of this section, "weapon" means any weapon which is calculated to or likely to cause harm to any person.

Part V – Offences by police officers triable by criminal courts

26. Offences by police officers triable by criminal courts

- (1) Any police officer who—
 - (a) being cognizant of any mutiny or sedition amongst the Force does not use his utmost endeavours to suppress the mutiny or sedition; or
 - (b) being cognizant of any intended mutiny or sedition amongst the Force does not without delay give information thereof to his superior officer; or
 - (c) being present at any assemblage tending to riot does not use his utmost endeavours to disperse that assemblage; or
 - (d) deserts; or
 - (e) persuades, procures, assists or attempts to persuade, procure or assist any police officer to desert; or
 - (f) knowing that any police officer has deserted or intends to desert does not without delay give information to his superior officer; or
 - (g) strikes or offers violence to his superior officer, such officer being in the execution of his duty;

shall be guilty of an offence and shall be liable on conviction before a court of criminal jurisdiction to imprisonment for one year.

- (2) A police officer shall not be found guilty of the offence of desertion unless the court is satisfied that there was an intention on the part of the police officer not to return to the Force.
- (3) Proof that a police officer has been absent from duty without leave for a period of twenty-eight days or more shall be *prima facie* evidence of an intention on the part of that police officer not to return to the Force.

27. Apprehension of deserters

Upon reasonable suspicion that any person is a deserter from the Force any police officer may, notwithstanding the provisions of section thirty-nine, apprehend that person without warrant and forthwith bring him before a court having jurisdiction in the place wherein he was found, which may deal with the suspected deserter or remit him to a court having jurisdiction in the place in which he has deserted.

28. Membership of trade union forbidden

- (1) It shall not be lawful for any police officer to be, or to become, a member of—
 - (a) any trade union, or of any body or association affiliated to a trade union; or
 - (b) any body or association the objects of which or one of the objects of which is to control or influence conditions of employment in any trade or profession; or
 - (c) any body or association the object of which is to control or influence the pay, pensions or conditions of service of the Force:

Provided that a police officer may be or become a member of any body or association which may be established or constituted for any objects mentioned in paragraph (b) or (c) pursuant to regulations made under this Act.

- (2) Any police officer who contravenes the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five hundred penalty units or to imprisonment for a period not exceeding three months, or to both.
- (3) A police officer convicted of an offence under this section shall be liable to be dismissed from the Force.
- (4) If any question arises as to whether any body is a trade union or association affiliated to a trade union or a body within the meaning of this section, the question shall be decided by the Minister whose decision thereof shall be final and conclusive and shall not be questioned in any proceedings.
- (5) For the purpose of this section, "trade union" has the same meaning as it has in the Industrial and Labour Relations Act.

[Cap 269]

[As amended by Act [No. 13 of 1994](#)]

Part VI – Discipline

29. Methods of dealing with disciplinary matters

- (1) Disciplinary control over police officers of or above the rank of Assistant Superintendent shall be exercised as is provided in the Constitution.

[Cap. 1]

- (2) Disciplinary control over police officers below the rank of Assistant Superintendent shall be exercised as is provided in this Part.

30. Offences against discipline by officers below the rank of Assistant Superintendent

- (1) A police officer below the rank of Assistant Superintendent commits an offence against discipline if he is guilty of—
 - (a) disobedience to orders, that is to say, if he disobeys, or without good and sufficient cause omits or neglects to carry out any lawful order, written or otherwise;
 - (b) insubordinate or oppressive conduct, that is to say, if he—
 - (i) is disrespectful in word, act or demeanour to a police officer superior to him in rank;
 - (ii) is oppressive or tyrannical in conduct towards a police officer inferior to him in rank;
 - (iii) uses obscene, abusive or insulting language to any other police officer;
 - (iv) assaults any other police officer;
 - (v) wilfully or negligently makes any false complaint against any other police officer;
 - (vi) fails to report any complaint or report made against any police officer;
 - (vii) talks or is inattentive or otherwise misbehaves himself on parade;
 - (viii) being under arrest or in confinement, leaves or escapes from his arrest or confinement before he is set at liberty by proper authority;
 - (ix) resists an escort whose duty it is to apprehend him or to have him in charge;
 - (c) neglect of duty, that is to say, if he—
 - (i) neglects, or without good and sufficient cause omits, promptly and diligently to attend to or carry out anything which it is his duty as a police officer to attend to or carry out;
 - (ii) idles or gossips or sits or lies down without reasonable cause when on duty;
 - (iii) sleeps when on duty;
 - (iv) fails to work his beat in accordance with orders, or leaves his beat, point, or other place of duty to which he has been ordered, without due permission or sufficient cause;
 - (v) by carelessness or neglect permits a prisoner to escape;
 - (vi) when knowing where an offender is to be found fails to report the same or to exert himself to make the offender amendable to the law;
 - (vii) fails to report any matter which it is his duty to report;
 - (viii) fails to report anything which he knows concern-ing a criminal charge, or fails to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or defendant to a criminal charge;
 - (ix) neglects or refuses to assist in the apprehension of any police officer charged with any offence;
 - (x) without reasonable cause omits to make any necessary entry in any official document, book or paper;
 - (xi) refuses, or without good and sufficient cause omits to make or send a report or return which it is his duty to make or send;
 - (xii) neglects to assist any person injured or taken ill on the streets;

- (d) discreditable conduct, that is to say, if he—
 - (i) acts in a disorderly manner, or in any manner prejudicial to discipline or likely to bring discredit on the reputation of the Force;
 - (ii) lends money to any police officer superior in rank to him or borrows money from or accepts any present from any police officer inferior in rank to him;
 - (iii) without reasonable cause fails to identify himself as a police officer when requested to do so by a member of the public;
 - (iv) incurs debt in or out of the Force without any reasonable prospect, or intention, of paying the same, or, having incurred any debt, makes no reasonable effort to pay the same;
 - (v) if called upon by the Inspector-General to furnish a full and true statement of his financial position, fails to do so;
- (e) absence without leave or being late for duty, that is to say, if he
 - (i) without reasonable cause or excuse is absent without leave from or is late for parade, court, or any other duty;
 - (ii) leaves without right or permission or lawful reason any police camp or quarters;
- (f) falsehood or prevarication, that is to say, if he—
 - (i) knowingly makes or signs any false statement in any official book or document;
 - (ii) wilfully or negligently makes any false, misleading or inaccurate statement;
 - (iii) without good and sufficient cause destroys or mutilates any official document or record, or alters or erases any entry therein;
 - (iv) prevaricates before any court or inquiry;
- (g) breach of confidence, that is to say, if he-
 - (i) divulges any matter which it is his duty to keep secret;
 - (ii) gives notice, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or summons;
 - (iii) without proper authority communicates to the public press or to any unauthorised person any matter concerning the Force;
 - (iv) without proper authority shows to any person outside the Force any book or written or printed document the property of the Force;
 - (v) makes, or joins in making, any anonymous communication to a police officer superior in rank to him;
 - (vi) makes any frivolous or vexatious complaint or makes a complaint in an irregular manner;
 - (vii) signs or circulates any petition or statement with regard to any matter concerning the Force, except through the proper channels of correspondence to the Inspector-General
 - (viii) calls or attends any unauthorised meeting to discuss any matter concerning the Force;
- (h) unlawful or unnecessary exercise of authority, that is to say, if he—
 - (i) without good and sufficient cause makes any unlawful or unnecessary arrest;

- (ii) uses any unnecessary violence to any prisoner or other person with whom he may be brought into contact in the execution of his duty;
 - (iii) is uncivil to any member of the public;
 - (i) malingering, that is to say, if he—
 - (i) feigns or exaggerates any sickness or injury with a view to evading duty;
 - (ii) while absent from duty on account of sickness, neglects or without good and sufficient cause omits, to carry out any instruction of a medical officer or of a member of the hospital staff, or acts
or conducts himself in a manner calculated to retard his return to duty;
 - (j) uncleanliness, that is to say, if he while on duty, or while off duty in uniform in a public place, is without reasonable cause improperly dressed or dirty or untidy in his clothing or accoutrements;
 - (k) damage to property, that is to say, if he—
 - (i) wilfully or by carelessness causes any waste, loss or damage to any article of clothing or accoutrements, or to any book, document or other property of the Force, served out to him or used by him or entrusted to his care;
 - (ii) fails to report any such loss or damage as aforesaid however caused;
 - (l) drunkenness, that is to say, if he, while on or off duty, is unfit for duty through the consumption of intoxicating liquor or drugs;
 - (m) entering licensed premises, that is to say, if he enters any public bar licensed for the sale of intoxicating liquor when on duty except when his presence is required there in the execution of his duty;
 - (n) engaging without authority in any employment or office other than his police duties;
 - (o) discharging without orders or just cause any firearm which has been issued to him;
 - (p) neglecting or failing to report the fact that he is suffering from venereal or other contagious disease;
 - (q) any other act, conduct, disorder, or neglect to the prejudice of good order and discipline not hereinbefore specified;
 - (r) conniving at or knowingly being an accessory to any offence against discipline under this Act.
- (2) An offence against discipline under this section may be inquired of, tried and determined and the offender shall be liable to suffer punishment, according to the degree and nature of the offence, in accordance with the provisions of this Act:

Provided that notwithstanding the provisions of subsection (2) of section fourteen, a police officer shall not be found guilty of an offence under paragraphs (c) (ii), (c) (iii) or (m) unless it shall be proved that, at the time when the offence was committed, he was on a specific duty for which he was specially detailed.

[As amended by Act [No. 40 of 1974](#)]

31. Tribunals for the trial of disciplinary offences and their powers of punishment

- (1) The Tribunals for the trial of offences against discipline under section thirty shall be—
 - (a) a Tribunal, held by the Inspector-General or by a police officer, not below the rank of Assistant Commissioner, generally or specially authorised in that behalf by the Inspector-General (in this Act referred to as a Class I Tribunal); and
 - (b) a Tribunal, held by a superior police officer generally or specially authorised in that behalf by the Inspector-General or a Chief Inspector in charge of a police station (in this Act referred to as a Class II Tribunal).
- (2) All Tribunals shall, subject to the provisions of subsection (7), have power to impose any of the following punishments:
 - (a) where the offender is an Inspector—
 - (i) reprimand;
 - (ii) severe reprimand;
 - (iii) a fine not exceeding one-half of one month's pay;
 - (b) where the offender is a police officer below the rank of Sub-Inspector—
 - (i) reprimand;
 - (ii) severe reprimand;
 - (iii) a fine not exceeding one-half of one month's pay;
 - (iv) reduction in rank;

Provided that any punishment imposed by a Class II Tribunal under paragraph (a), or the imposition of a fine exceeding forty penalty units under paragraph (b), shall be subject to confirmation by a Class I Tribunal.

- (3) In addition to the powers conferred by subsection (2), a Class I Tribunal shall, subject to the provisions of subsection (7), have power—
 - (a) to impose a fine not exceeding one month's pay;
 - (b) in addition to, or in lieu of, any other punishment, to dismiss or discharge the offender, or where the offender is an Inspector to reduce in rank.
- (4) Notwithstanding the preceding subsections, a superior police officer or officer in charge of a police station or such other police officers not below the rank of Inspector as the Inspector-General may generally or specially authorise in that behalf may proceed summarily with any offence against discipline by a police officer below the rank of Sub-Inspector and may thereupon impose any of the following punishments:
 - (a) admonishment;
 - (b) confinement to quarters for any period not exceeding fourteen days with or without extra drill, guards, or other duties;

but such proceedings and the results thereof shall not be entered in the offender's personal record.

- (5) A Class I Tribunal may review any trial held by a Class II Tribunal for the purpose of satisfying itself as to the correctness, legality or propriety of any finding of or punishment imposed by that Class II Tribunal.

- (6) A Class I Tribunal on the review of a trial or on the consideration of whether or not to confirm a punishment imposed by a Class II Tribunal—
 - (a) shall have power to quash any conviction or to vary any punishment imposed by a Class II Tribunal by imposing, subject to the provisions of subsection (7), any other punishment which it is empowered to impose under the provisions of subsection (2) or (3);
 - (b) may, if it is of opinion that the justice of the case so requires, order the re-trial of any police officer convicted by a Class II Tribunal.
- (7) Any punishment of reduction in rank, discharge or dismissal of an offender imposed by a Class I Tribunal or Class II Tribunal under any provisions of this section shall be subject to confirmation by the Inspector-General and any such punishment shall remain in abeyance until the Inspector-General has signified his decision thereon.
- (8) The Inspector-General—
 - (a) shall have power to quash any conviction or order of any Class I Tribunal or vary any punishment imposed by any Class I Tribunal by imposing any other punishment permitted under this section:
 - (b) may, if he is of opinion that the justice of the case so requires, order the re-trial of any police officer convicted by a Class I Tribunal.
- (9) Any police officer upon whom a punishment of a fine exceeding five days' pay, or a reduction in rank or of discharge or dismissal from the Force has been imposed under this section shall be entitled to appeal to the President in the manner provided by section thirty-two, against either the conviction or the punishment or both.
- (10) No punishment shall be increased under the provisions of subsection (6) or (8) unless the offender has been given an opportunity of being heard.
- (11) No punishment imposed by a Class II Tribunal shall be put into execution until it has been reported to the Inspector-General.

[As amended by No. 40 of 1974 and Act [No. 13 of 1994](#)]

32. Polic Advisory Board

- (1) There is hereby established a Police Advisory Board (hereinafter referred to as the Board) consisting of a chairman and such other persons not exceeding four in number as may be appointed by the President:
Provided that—
 - (i) if the Inspector-General is a member of the Board, he shall not sit as a member of the Board when the Board is considering any appeal submitted to it under subsection (3) or section forty-one;
 - (ii) if the Permanent Secretary (Establishments) is a member of the Board, he shall not sit as a member of the Board when the Board is considering any appeal on a matter affecting the welfare and efficiency of the Force on which he has advised the Government.
- (2) It shall be the duty of the Board to consider and advise the President on all appeals submitted to it under this Act, and to consider and advise on such other matters affecting the welfare and efficiency of the Force as may be prescribed.
- (3) Every appeal under subsection (9) of section thirty-one or section forty-one shall be submitted by the appellants to the Board within twenty-one days of the notification to the appellants of the decision of the Tribunal or of the Inspector-General as the case may be.

- (4) The Board shall consider all appeals summarily unless it sees fit to direct that the appellant be heard either personally, or, with the permission of the Board, either by a friend, who shall be an officer in the public service, or by a barrister or solicitor.
- (5) Upon the consideration of an appeal, the Board may, in its discretion, hear any evidence not given before the Tribunal.
- (6) Upon the consideration of an appeal, the Board shall advise the President either—
 - (a) to dismiss the appeal if the Board considers that there is not sufficient ground for interfering with the decision from which the appeal is brought; or
 - (b) on an appeal against conviction—
 - (i) to reverse the finding and sentence and acquit or discharge the appellant or order him to be re-tried by a Tribunal of competent jurisdiction; or
 - (ii) to alter the finding, maintaining the sentence, or, with or without altering the finding, to reduce or increase the sentence; or
 - (iii) with or without such reduction or increase, and with or without altering the finding, to alter the nature of the sentence; or
 - (c) on an appeal against sentence, to quash the sentence imposed by the Tribunal and pass such other sentence (whether more or less severe) which the Tribunal might lawfully have passed.
- (7) The President, having considered the advice given by the Board, may exercise any of the powers set out in subsection (6).
- (8) The powers conferred by subsection (6) shall be exercised by the Board to the prejudice of the appellant only if he has had an opportunity of being heard either personally or by a friend or by a barrister or solicitor in accordance with the provisions of subsection (4).

[As amended by Act [No. 40 of 1974](#)]

33. Powers of officer holding inquiry

- (1) Every police officer empowered to try offences under this Part and the Board shall have power to summon and examine witnesses on oath or affirmation and to require the production of all documents relevant to such inquiry, and to adjourn any hearing from time to time.
- (2) In every case where confirmation of punishment is required under the provisions of section thirty-one the proceedings shall be recorded in writing.
- (3) Any person summoned as a witness under subsection (1) who fails to attend at the time and place stated in the summons, or on any adjournment, or refuses to answer any question that is lawfully put to him, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred penalty units or to imprisonment for a period not exceeding one month.
- (4) A witness giving evidence before a Tribunal or the Board shall not be asked or obliged to answer any question which may tend to incriminate him or render him liable to any forfeiture or penalty.

[As amended by Act [No. 13 of 1994](#)]

34. Suspended punishment

- (1) Where a Tribunal imposes any punishment on a police officer in respect of an offence against discipline, it may order that such punishment be suspended for a period not exceeding six months and, if during such period of suspension the offender commits no further offence against discipline, such punishment shall not be carried into execution.

- (2) Where any punishment has been suspended under the provisions of subsection (1) and the offender is found guilty of any further offence against discipline committed during the period of suspension, the suspended punishment shall forthwith be carried into effect.

35. Fines to be recovered by stoppage of pay

- (1) All fines imposed on a police officer in respect of offences under this Act, or any regulations made thereunder, shall be recovered by stoppage of the offender's pay due at the time of committing such offence, and thereafter accruing due.
- (2) The amount of pay which may be stopped in any one month in respect of any fine or for any other cause authorised by this Act, or by regulations made thereunder, shall be in the discretion of the officer by whom the fine was imposed or, in any other case, of the officer in charge of police in the place where the person concerned is stationed, but shall not exceed one-half of the monthly pay of the offender and wherever more than one order of stoppage is in force against a police officer, so much only of his monthly pay shall be stopped as shall leave him a residue of at least one-half of his pay.
- (3) Where more than one order of stoppage is made against a police officer, the enforcement of the orders later in date shall be postponed, if necessary, until the earlier orders are discharged.

36. Loss or damage to arms and accoutrements to be made good by stoppage of pay

If any police officer below the rank of Assistant Superintendent pawns, sells, loses by neglect, makes away with or wilfully damages any arms, ammunition, accoutrements, uniform or other appointment supplied to him or any Government property committed to his charge, he may, in addition to or in lieu of any punishment, be ordered by a police officer not below the rank of Assistant Commissioner to make good the amount of such loss or damage, and such amount may be recovered by stoppage from his pay.

37. Pay not to accrue during absence without leave, imprisonment or detention

No pay shall accrue to any police officer below the rank of Assistant Superintendent in respect of any period during which he is absent from duty without leave, or is undergoing any sentence of imprisonment:

Provided that—

- (i) in any case, the Inspector-General or any other police officer not below the rank of Assistant Commissioner may in his discretion authorise the payment of such allowances, equal to not more than one-half of the officer's pay, as he may think fit;
- (ii) where a police officer below the rank of Assistant Superintendent receives a free pardon or his conviction is quashed on appeal, pay shall accrue for any period when he was undergoing any sentence of imprisonment.

[As amended by Act [No. 40 of 1974](#)]

38. Interdiction of police officers below rank of Assistant Superintendent

- (1) When any police officer below the rank of Assistant Superintendent is accused of any offence against any law or against this Act, the Inspector-General may interdict that officer from the exercise of the powers, functions and duties vested in him as a police officer pending the result of the proceedings taken against that officer.
- (2) A police officer who has been interdicted shall be allowed to receive such allowance, equal to not less than one-half of the officer's pay, as the Inspector-General shall think fit.

[As amended by Act [No. 40 of 1974](#)]

39. Power of arrest and remand for offences

- (1) A police officer may, subject to subsection (2), arrest or order any police officer subordinate to him to arrest without warrant any other police officer who is accused of an offence under the provisions of section twenty-six or of an offence against discipline under paragraph (a), (b) (iii), (b) (iv), (d) (i) or (k) of subsection (1) of section thirty or of conniving at or knowingly being an accessory to any such offence against discipline.
- (2) An arrest under the provisions of subsection (1) shall be effected by an officer of equal or superior rank to that of the officer ordered to be arrested.
- (3) A police officer effecting an arrest under the provisions of this section shall—
 - (a) if the person arrested is below the rank of Assistant Superintendent, forthwith bring the accused before an officer in charge of police or other proper officer who shall cause the case to be heard by a Tribunal or court of criminal jurisdiction and may order the detention or remand of the accused in custody for so long as may reasonably be necessary;
 - (b) if the person arrested is of or above the rank of Assistant Superintendent, forthwith report the case to the Inspector-General who shall report the case to the Public Service Commission.

[As amended by Act [No. 40 of 1974](#)]

40. Confinement of police officer arrested or sentenced

Any police officer arrested under this Act may be confined in any police quarters allocated for prison or guard room purposes or in any prison quarters set apart for the detention of prisoners awaiting trial, or when sentenced be removed by warrant to the nearest convenient prison, there to serve his sentence, and when so removed shall be deemed to be in like position to any other prisoner sentenced by a court of competent jurisdiction to undergo punishment.

41. Dismissal and reduction in rank of police officer sentenced to imprisonment

- (1) The Inspector-General may reduce in rank or may dismiss any police officer below the rank of Assistant Superintendent who has been sentenced to imprisonment, whether with or without the option of a fine, and whether or not the sentence has been suspended by any court in respect of any offence whether under this Act or otherwise, unless such sentence is quashed on appeal and no other sentence of imprisonment is substituted therefor.
- (2) A police officer who is reduced in rank or dismissed under this section may appeal against the reduction in rank or dismissal in the manner provided in section thirty-two to the President and that section shall, subject to the provisions of this section, apply accordingly.
- (3) Upon the consideration of an appeal under this section, the Board shall advise the President either to allow the appeal or to dismiss the appeal if the Board considers that there is not sufficient ground for interfering with the decision of the Inspector-General

[As amended by Act [No. 40 of 1974](#)]

Part VII – Disposal of unclaimed property

42. Inventory or description of unclaimed property to be sent to subordinate court

Where any movable property has come into the possession of an officer in charge of a police station, not being property which the officer is entitled to detain without the consent of the rightful owner—

- (a) if any person satisfies the officer that he is entitled to the possession of the property, the officer shall return it to that person;

- (b) if no person satisfies the officer that he is entitled to the possession of the property within one month of its coming into the possession of the officer, he shall furnish an inventory or description thereof to a subordinate court.

43. Disposal of property which is neither money nor property subject to decay

- (1) Where an inventory or description of property is furnished to a subordinate court under the provisions of the immediately preceding section, the court shall detain or give orders for the detention of the property, not being money or property subject to speedy or natural decay nor property the immediate sale of which would, in its opinion, be for the benefit of the owner, and shall cause a notice in the prescribed form to be posted in a conspicuous place at the court and at the police station specifying the property, and calling on any person who may have any claim thereto to appear before the court and establish his claim within fourteen days of the date of the notice.
- (2) If no person shall within fourteen days of the date of the notice mentioned in subsection (1) claim the property specified in the notice, the court shall order that—
 - (a) the property be given to the person who found the property, unless he is a police officer; and
 - (b) if within fourteen days of making the order under paragraph (a) the property has not been given to the person named in the order by reason of his being a police officer or the address of that person being unknown, the property may be sold or destroyed and that notice of any sale shall be displayed prominently at the police station and at the court for a period of not less than fourteen days before the date fixed for the sale.
- (3) The proceeds of the sale of property sold under the provisions of paragraph (b) of subsection (2) shall be paid into the general revenues of the Republic.

44. Disposal of property subject to decay

- (1) If the subordinate court is of the opinion that any property mentioned in section forty-two is subject to speedy or natural decay or if the court is of opinion that its immediate sale would be for the benefit of the owner, the court may, at any time, direct that such property be sold and on the completion of the sale the right of any person to take legal proceedings for the recovery of the property sold shall cease.
- (2) The subordinate court shall detain or give orders for the detention of the proceeds of any sale under subsection (1) and shall, immediately after the sale, cause a notice in the prescribed form to be posted in a conspicuous place at the court and at the police station calling upon any person who may have any claim to the proceeds of sale to appear before the court and establish his claim, within one month from the date of the notice.
- (3) If no person shall within one month from the date of the notice mentioned in subsection (2) establish his claim to the proceeds of sale, the subordinate court shall order them to be paid to the person who found the property unless he is a police officer.
- (4) If within one month of the making of an order under subsection (3), such proceeds of sale as aforesaid have not been paid to the person named in the said order by reason of his being a police officer or the address of that person being unknown, the proceeds of sale shall be paid into the general revenues of the Republic.

45. Unclaimed money

When the property mentioned in section forty-two consists of money, it shall be dealt with in all respects as if it were the proceeds of a sale ordered by virtue of the provisions of subsection (1) of section forty-four.

Part VIII – Employment of police officers on special duty and the maintenance of order in disturbed areas

46. Employment of police officers on special duty at expense of private persons

- (1) The Inspector-General may, subject to the direction of the Minister, on the application of any person and on being satisfied as to the necessity therefor, detail any number of police officers for special duty at any place in Zambia and for such period as he may consider necessary at the expense of the person making the application.
- (2) The expenses to be paid by the person making the application for police officers for special duty under this section shall be such as may be prescribed and shall be recovered in the prescribed manner.

[As amended by Act [No. 40 of 1974](#)]

47. Arrangements with other countries

- (1) Whenever any police officers from a police force of a neighbouring country are present in Zambia in response to an application made by the President for the purpose of the preservation of order and the protection of life and property in Zambia, the following provisions shall have effect with regard to those officers:
 - (a) they shall be under the orders of their own officers present with them, if any, subject, however, to the control of the senior officer present whether he be a member of the Force or of the police force of the neighbouring country;
 - (b) they shall have and may exercise the powers, and shall be liable to perform the duties, of police officers of equivalent rank in the Force, and shall for those purposes be deemed to be members of the Force;
 - (c) the provisions of any Act or other law affecting the discipline, punishment, terms and conditions of service of those officers while serving in the neighbouring country shall, so far as circumstances admit, be applied in Zambia as if such Act or other law were part of the law of Zambia:

Provided that—

 - (i) no such law as aforesaid shall be interpreted in its application within Zambia as conferring any power on any officer of the Force to punish any officer of the police force of the neighbouring country for any offence against discipline;
 - (ii) where any such law confers on a court or magistrate of the neighbouring country, jurisdiction to try and award punishment for any such offence as aforesaid, such jurisdiction may be exercised by a court or magistrate of competent jurisdiction within Zambia;
 - (d) any contract of service between any such officer and the Government of the neighbouring country may be enforced in Zambia in such manner and with the like effect as if it had been made between such officer and the Government of the Republic of Zambia.
- (2) Notwithstanding the provisions of section five, whenever application is made by the proper authority of a neighbouring country for assistance in any temporary emergency by the despatch of a body of police from the Force for temporary service in that country, the President may despatch or cause to be despatched so many police officers as may, in his opinion, be necessary or expedient, having regard to all the circumstances of the case, not exceeding the number, if any, specified in the said application and all police officers who may be ordered pursuant to the provisions of this subsection to proceed for service to that country shall comply with the order.

- (3) For the purposes of this section, "neighbouring country" means any country which the President may, by statutory notice, declare to be a neighbouring country for the purposes of this section:

Provided that no such notice shall be published in respect of any country unless and until the President is satisfied that satisfactory arrangements have been or will be made for the inclusion in the law of that country of provisions reciprocal to the foregoing provisions of this section.

Part IX – Vigilante groups

48. Establishment of vigilante groups

- (1) For every Section in every Branch in every Ward, there may be established a vigilante group of such number of persons as may be necessary.
- (2) On the recommendation of the Ward Security Committee in each Ward, the Inspector-General shall, by writing in Form VG2 set out in the Second Schedule, appoint suitable persons to be vigilantes for a specified Section in that Ward:

Provided that the Inspector-General may delegate his power to appoint vigilantes in any particular Section to the officer-in-charge of police under whose jurisdiction that Section is situated.

- (3) Every vigilante appointed in accordance with subsection (2) shall—
- (a) sign a declaration of service in Form VG3 set out in the Second Schedule;
 - (b) carry his letter of appointment, or such other means of identification as the Minister may designate, for the purposes of identifying himself as a vigilante when required to do so.
- (4) Subject to the provisions of this Part and to any general or specific directions of the Minister, the Inspector-General shall have the command, superintendence, direction and control of the vigilantes appointed under this section.

Provided that the Inspector-General may delegate such command, superintendence, direction or control in respect of vigilantes in any Section, Branch, Ward or District to any such officer as he may designate for that purpose.

- (5) Every vigilante appointed under this Part shall, in respect of the Section for which he is appointed, carry out such functions and duties to assist the police in maintaining law and order and protecting persons and property, as may be required of him by the officer-in-charge of police under whose jurisdiction he is placed.
- (6) On the recommendation of the Ward Security Committee, the Inspector-General, or an officer to whom the Inspector-General has delegated that power, shall designate one vigilante each to be—
- (a) the Section Vigilante Leader for a specified Section in that Ward;
 - (b) the Branch Vigilante Leader for a specified Branch in that Ward; or
 - (c) the Ward Vigilante Leader for that Ward;

and a Vigilante Leader shall carry out such functions and duties connected with the discipline and internal administration of the vigilantes under his leadership as may be required of him by the officer-in-charge of police under whose jurisdiction he is placed.

[As amended by Act No. 23 of 1985]

49. Qualifications for appointment as vigilantes

A person shall not be appointed a vigilante unless he—

- (a) volunteers for service as a vigilante;

- (b) is resident in that Section;
- (c) is at least eighteen years old;
- (d) is of good moral character;
- (e) is physically fit; and
- (f) has no previous conviction.

[As amended by Act [No. 23 of 1985](#)]

50. Equipment for vigilantes

It shall be lawful for the Inspector-General to provide, from the funds allocated by Parliament for the purposes of the police, batons, handcuffs, whistles, identity cards, instruction manuals and other requisites for the training of, or the carrying out of their functions by, vigilantes.

[As amended by Act [No. 23 of 1985](#)]

51. Arrest by vigilantes

- (1) A vigilante may arrest any person who, in his presence, commits a cognizable offence, or whom he reasonably suspects of having committed a felony.
- (2) Any vigilante arresting any person without a warrant shall, without unnecessary delay, make over the person so arrested to a police officer, or, in the absence of a police officer, shall take such person to the nearest police station.

[As amended by Act [No. 40 of 1974](#) and [No. 23 of 1985](#)]

52. Refusal by vigilante to serve or obey orders

A vigilante who, without reasonable excuse, refuses or neglects to serve or to obey such lawful orders or directions as may be given to him under the provisions of this Act shall be in breach of, and shall be dealt with in accordance with, the code of discipline for vigilantes issued by the Inspector-General and amended from time to time.

[As amended by Act [No. 23 of 1985](#)]

53. Power to suspend or determine services of vigilantes

The Inspector-General or any officer authorised by him in that behalf may, in consultation with the Ward Security Committee, suspend any vigilante, or determine the services of any vigilante if he considers that the services of such vigilante can conveniently be dispensed with; and shall forthwith transmit notice thereof in Form VG 4 set out in the Second Schedule to the vigilante concerned.

[As amended by Act [No. 23 of 1985](#)]

54. Resignation by vigilantes

A vigilante may resign his appointment at any time by giving one month's notice in writing to the Inspector-General, with a copy thereof to the Ward Security Committee.

[As amended by Act [No. 23 of 1985](#)]

55. Delivery up of equipment

- (1) Every vigilante shall, within one week after receipt of the notice determining his appointment deliver over to such person at such time and place as may be directed by the officer-in-charge of

police his identity card, baton, whistle, instruction manuals and any other requisites which may have been provided to him under this Act.

- (2) If, when directed to do so, a vigilante fails to return any article or equipment, he shall be liable to pay to the Government an amount equal to the cost thereof unless he shows that such article or equipment was stolen, lost or destroyed and that he took all reasonable precautions to prevent its theft, loss or destruction.

[As amended by Act [No. 23 of 1985](#)]

56. Regulations

On the recommendation of the Inspector-General, the Minister may, by statutory instrument, make regulations for the better carrying out of the purposes of this Part.

[As amended by Act [No. 23 of 1985](#)]

Part X – Pensions and gratuities

57. Pensions and gratuities

- (1) The President may, by statutory instrument, make regulations prescribing the payment of pensions and gratuities in respect of service by police below the rank of Sub-Inspector to whom the Public Service Pensions Act does not apply.

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- (2) Without prejudice to the generality of the foregoing subsection, such regulations may prescribe—
 - (a) the conditions under which pensions and gratuities may be paid, the periods of service qualifying for, and the methods of payment of, pensions and gratuities;
 - (b) the payment of pensions or gratuities to police officers who become incapacitated for service by sickness, accident or disability incurred in the discharge of their duties, and the payment of gratuities to police officers who otherwise become incapacitated for service;
 - (c) the conditions under which a pension or gratuity may be paid to or for the benefit of any relative or dependant of a police officer who dies from sickness, accident or disability contracted in the discharge of his duty or who dies while serving in the Force;
 - (d) that pensions and gratuities shall be liable to forfeiture or non-payment for misconduct.
- (3) Whenever the President is satisfied that it is equitable that any regulation made under this section should have a retrospective effect in order to confer a benefit upon or to remove a disability attached to any person, that regulation may be given retrospective effect for that purpose.

Part XI – General offences

58. Power to prosecute under other law not affected

Nothing in this Act shall exempt any person from being proceeded against under any other Act or law in respect of any offence made punishable by this Act, or from being liable under any other Act or law to any other or higher penalty or punishment than is provided for such offence by this Act:

Provided that no person shall be punished twice for the same offence.

59. Unlawful possession of articles supplied to police officers

Any person, not being a police officer, who is found in possession of any article whatsoever which has been supplied to any police officer for the execution of his duty, or any medal or decoration granted to any

police officer for service or good conduct, and who fails to account satisfactorily for the possession thereof, or who without due authority purchases or receives such article, medal or decoration from any police officer or who aids or abets any police officer to sell or dispose of any such article, medal or decoration shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five hundred penalty units or to imprisonment for three months.

[As amended by Act [No. 13 of 1994](#)]

60. Disorderly conduct in police station, etc.

- (1) Any person who, in any court, police station, police office or any lock-up is guilty of any riotous, indecent, disorderly or insulting behaviour shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five hundred penalty units or to imprisonment for a period not exceeding three months, or to both.
- (2) Any police officer may arrest without warrant any person who, in his presence or within his view, commits any offence under the provisions of subsection (1).

[As amended by Act [No. 13 of 1994](#)]

61. Persons causing disaffection, etc.

- (1) If any person causes, or attempts to cause, or does any act calculated to cause disaffection amongst police officers or induces, or attempts to induce, or does any act calculated to induce, any police officer to withhold his services or to commit breaches of discipline, he shall be guilty of a misdemeanour.
- (2) If such person as aforesaid is a police officer he shall be liable to be dismissed from the Force.

Part XII – Miscellaneous

62. Regulations

- (1) The President may, by statutory instrument, make regulations for the better carrying out of the provisions of this Act and the general governance of the Force.
- (2) Without prejudice to the generality of subsection (1), such regulations may—
 - (a) prescribe anything which by this Act may or is to be prescribed;
 - (b) make provisions regarding any of the matters which the Inspector-General is authorised to regulate by standing orders under section three;
 - (c) regulate the pay, leave, conditions of service and transfer (including expenses in connection therewith) of police officers below the rank of Sub-Inspector;
 - (d) regulate the procedure of the Tribunals enumerated in section thirty-one and the Police Advisory Board established under section thirty-two;
 - (e) provide for the establishment, constitution, functions and procedure of Police Associations and for matters incidental thereto.

[As amended by Act [No. 40 of 1974](#)]

63. Power to exempt police canteens, etc.

The Minister may from time to time, by statutory notice, exempt any police canteen, police mess, or other similar police institution from any or all of the provisions of the Liquor Licensing Act and the Trades Licensing Act, either absolutely or subject to such conditions as he may think fit to impose.

[[Cap. 167](#); [Cap. 393](#)]

64. Repeal and savings

- (1) The Zambia Police Act, Chapter 44 of the 1965 Edition of the Laws, is repealed.
- (2) Notwithstanding the repeal of the said Zambia Police Act—
 - (a) any regulations, standing orders, directions or notices made under that Act shall remain in force until repealed or replaced by regulations, standing orders, directions or notices made under this Act and shall be deemed to have been made under this Act;
 - (b) all police stations appointed under that Act shall be deemed to have been appointed under this Act;
 - (c) all persons who were immediately before the commencement of this Act members of the Zambia Police Force as constituted under the said Act shall continue to be members of the Force and to hold the same rank under this Act as they held under the said Act, and shall be deemed to have made the declaration and to have been attested as required by this Act on joining the Force, and all such persons shall be subject to the provisions of this Act in so far as those provisions apply to them, and service under that Act shall for all purposes be deemed to be service under this Act.

First Schedule (Section 4)

Composition of the force

Inspector-General

Commissioner

Deputy Commissioner

Senior Assistant Commissioner

Assistant Commissioner

Chief Superintendent

Senior Superintendent

Superintendent

Assistant Superintendent

Chief Inspector

Inspector

Sub-Inspector

Sergeant-Major

Sergeant

Corporal

Constable

[As amended by Act [No. 40 of 1974](#)]

Second Schedule**Prescribed forms****Form 1 (Section 8)****Form of attestation**

I, A.B., do *swear/solemnly and sincerely declare and affirm that I will be faithful and bear true allegiance to the President of the Republic of Zambia, that during my service with the Zambia Police Force I will preserve, protect and defend the Constitution of Zambia, as by law established, and will obey all lawful orders of the President and of all officers placed over me and will subject myself to all Acts, Orders or Regulations relating to the said Force.

Signature or thumbprint of police officer _____

* Sworn Declared and Affirmed		at _____ this _____ day of _____, 19 ____
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Before me _____

(Signature of Magistrate or Superior Police Officer)

*

Dated this _____ day of _____, 19 ____

Form VG 2

Original: Appointee

Duplicate: Station

Triplicate: Force Headquarters

Republic of Zambia

Zambia Police

In Confidence

Appointment of vigilante

To: (Name in Full) _____ of Section _____ Branch _____

Ward _____ Police Station _____

I, the undersigned, Officer-in-Charge of Police of _____ Police Station, in exercise of the powers delegated to me pursuant to section 48 of the Zambia Police Act hereby appoint you to be a Vigilante

*

Delete whichever is inapplicable.

for _____ Section under _____ Ward, falling within the jurisdiction of _____ Police Station, until further notice.

Dated this _____ day of _____, 19 _____.

Signed _____

Officer-in-Charge, for Inspector-General

_____ Police Station

OFFICIAL DATE STAMP _____

[As amended by Act [No. 23 of 1985](#)]

Form VG 3

Republic of Zambia

Zambia Police

In Confidence

Declaration by vigilante

I, _____ do swear/solemnly and sincerely declare and affirm that I will be faithful and bear true allegiance to the President of the Republic of Zambia, that during my voluntary service as a vigilante, I will preserve, protect and defend the Constitution of Zambia, as by law established and will obey all lawful orders of the President and all officers and officials placed over me.

*Sworn/declared and affirmed at _____ this _____ day of _____ 19 _____

Before me _____

(Officer-in-Charge of Police Station)

Witness: (Name in Full)

1. _____ Section Chairman

(Name in Full)

2. _____ Ward/Branch Chairman

[As amended by Act [No. 23 of 1985](#)]

Form VG 4

Republic of Zambia

Zambia Police

In Confidence

Delete whichever is inapplicable

Notice to suspend or terminate appointment of vigilante

To: (Name in Full) _____ of _____ Section _____ Branch _____ Ward under _____ Police Station.

I, the undersigned, Officer-in-Charge of _____ Police Station, in exercise of the powers delegated to me pursuant to section 53 of the Zambia Police Act, hereby give you notice that your appointment as a vigilante for _____ Section _____ Branch _____ Ward under _____ Police Station, made on _____ day of _____, 19 _____ is suspended/terminated with effect from the date hereof.

Dated this _____ day of _____, 19 _____

Signed: _____ for Inspector-General

Name _____ Officer-in-Charge of _____ Police Station.

c.c. Section Chairman

Branch Chairman

Ward Chairman

District Executive Secretary

Inspector-General of Police

[N.B.-All items issued under Part IX of Chapter 107 should be surrendered to the Officer-in-Charge upon receipt of this notice.]

[As amended by Act [No. 23 of 1985](#)]