

Zambia

## National Museums Act, 1966

### Chapter 174

Legislation as at 31 December 1996

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## National Museums Act, 1966

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## Zambia

### National Museums Act, 1966

#### Chapter 174

Commenced on 1 July 1966

*[This is the version of this document at 31 December 1996.]*

*[10 of 1966; 13 of 1966; 13 of 1994]*

**An Act to provide for the establishment, control, management and development of National Museums and for matters incidental to or connected therewith.**

#### 1. Short title

This Act may be cited as the National Museums Act.

#### 2. Interpretation

In this Act, unless the context otherwise requires—

"**Board**" means the National Museums Board established by section four;

"**museum**" includes an art gallery; and

"**National Museum**" means a museum described in the Schedule.

#### 3. National Museums

- (1) The museums described in the Schedule shall be National Museums.
- (2) The Minister may, by statutory order, declare any museum to be a National Museum and thereupon the name of the museum described in such order shall be added to the Schedule.
- (3) Every National Museum shall be open to the public on not less than two days in every week during such hours as the Board may appoint.

#### 4. Establishment of Board

- (1) There is hereby established a body to be known as the National Museums Board.
- (2) The functions of the Board shall be to control, manage and develop National Museums.
- (3) The Board shall be a body corporate with perpetual succession and a common seal and shall be capable of suing and being sued in its corporate name.

#### 5. Constitution of Board

- (1) The Board shall consist of not more than twelve members appointed by the Minister, one of whom shall be appointed by the Minister to be chairman.
- (2) A member of the Board appointed under subsection (1) shall, subject to the provisions of this section, hold office for such period as may be specified by the Minister at the time of his appointment or, if no period is so specified, for a period of three years from the date of his appointment.
- (3) The Minister may at any time revoke an appointment made by him under subsection (1), and any member of the Board so appointed may at any time resign his office by notice in writing to the Minister.

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

## 6. Powers of Board

- (1) Subject to the provisions of this Act, the Board shall have power for the purposes of carrying out the functions conferred on it by this Act—
- (a) to acquire, hold, manage and dispose of real and personal property;
  - (b) to employ staff on such terms and conditions of service as it thinks fit and to take such steps as it may consider necessary to implement those conditions of service;
  - (c) to exchange, sell or otherwise dispose of objects not required for the purposes of any National Museum and to lend any objects vested in the Board to any person or institution whether within or outside Zambia;
  - (d) to constitute committees, to include as members of such committees persons who are not members of the Board, and to regulate the proceedings of such committees;
  - (e) to delegate to any committee or member of the staff of the Board all or any of the powers of the Board other than the power to acquire or dispose of real property and the power to make rules;
  - (f) to enter into such contracts as it may consider expedient;
  - (g) to do all such other things as appear to it necessary, desirable or expedient.
- (2) The Board may receive moneys from any source and may apply such moneys to defray its expenses in carrying out the functions and exercising the powers conferred on it by this Act including the reimbursement of expenses incurred by members of the Board in attending meetings of the Board.
- (3) The Board may, with the consent of the Minister, by statutory instrument, make rules—
- (a) providing for the administration of any National Museum;
  - (b) providing for the preservation of objects required for the purposes of National Museums;
  - (c) providing for the charging of fees for admission to any National Museum by members of the public; and
  - (d) prescribing the articles which shall not be introduced into a National Museum without the consent of the officer in charge of that National Museum.

## 7. Proceedings of Board

- (1) The quorum at any meeting of the Board shall be half of the total number of members of the Board or, where there is an uneven number of such members, shall be the next whole number above half.
- (2) The chairman shall preside at meetings of the Board and shall in addition to his deliberative vote have a casting vote.
- (3) In the absence of the chairman from any meeting, the members of the Board may elect a temporary chairman for that meeting from among their number and the temporary chairman shall thereupon undertake the functions and powers of the chairman.
- (4) All acts, matters and things authorised or required to be done by the Board shall be decided by resolution at a meeting of the Board at which a quorum is present.
- (5) Subject to the provisions of this section and of the Statutory Functions Act, the Board may regulate its own procedure.

*[Cap. 3]*

## 8. Audit

- (1) The Board shall cause proper accounts to be kept which shall be audited annually by auditors appointed by the Minister.
- (2) A copy of the audited accounts of the Board together with any report made by the auditors thereon shall be submitted to the Minister.

## 9. Vesting of objects donated

- (1) All objects which are expressly given or bequeathed to the public, the Republic, or the Board for the purposes of any National Museum, or are given or bequeathed by words showing an intention that the gifts should enure to or for the benefit of any National Museum and which are accepted by the Board shall vest in the Board.
- (2) All objects which are or have been acquired by the Board by purchase or otherwise for the purposes of any National Museum shall vest in the Board.

## 10. Exemption from rates

Notwithstanding anything to the contrary contained in any written law, every National Museum shall be exempt from the payment of all rates levied by a local authority on the owners or occupiers of property.

## 11. Offences

Any person who—

- (a) behaves in a National Museum in a violent or disorderly manner;
- (b) commits a nuisance in a National Museum;
- (c) damages or behaves in such manner as is likely to cause damage to any property in a National Museum;
- (d) wilfully touches any exhibit in a National Museum without the permission of the officer in charge of that Museum;
- (e) smokes in the public galleries of any National Museum;
- (f) takes into a National Museum any article prescribed by rules made under section six; or
- (g) copies, paints or photographs any exhibit in a National Museum without the permission of the officer in charge of that Museum;

is guilty of an offence and on conviction shall be liable to a fine not exceeding three thousand penalty units.

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

## 12. Transitional provisions

- (1) Upon the commencement of this Act all property, assets, rights, liabilities, obligations and agreements vested in, acquired, incurred or entered into by or on behalf of the Livingstone Museum shall be deemed to be vested in or to have been acquired, incurred or entered into by or on behalf of the Board; and accordingly every such right, liability, obligation or agreement may be enforced by or against the Board to the same extent as it could have been enforced by or against the Livingstone Museum.
- (2) In the case of property in respect of the transfer of which any written law provides for registration, it shall be the duty of the Board to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

- (3) For the purposes of this section, "the Livingstone Museum" means the body corporate described in section three of the Livingstone Museum Act, Chapter 153 of the 1960 Edition of the Laws.

### **Schedule (Section 3)**

#### **National Museums**

The Livingstone Museum.

The Copperbelt Museum.

*[As amended by S.I. No. 13 of 1968]*