

Zambia

Gwembe District Special Fund (Dissolution) Act, 1968 Chapter 291

Legislation as at 31 December 1996

FRBR URI: /akn/zm/act/1968/5/eng@1996-12-31

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PDF created on 21 February 2024 at 17:08.

Collection last checked for updates: 31 December 1996.

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Gwembe District Special Fund (Dissolution) Act, 1968
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Zambia

Gwembe District Special Fund (Dissolution) Act, 1968

Chapter 291

Commenced on 16 February 1968

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

[5 of 1968]

An Act to dissolve the Gwembe District Special Fund; to establish the Gwembe Rural Council Fund and to vest in it the monies and assets of the aforesaid Special Fund; to provide for the administration of and application of the Gwembe Rural Council Fund; and to provide for matters incidental to the foregoing.

1. Short title

This Act may be cited as the Gwembe District Special Fund (Dissolution) Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"**the Fund**" means the Gwembe Rural Council Fund;

"**the Order**" means the Zambia (Gwembe District) Orders, 1959 and 1964.

[App. 9]

3. Establishment of Gwembe Rural Council Fund

There is hereby established a Fund which shall be known as the Gwembe Rural Council Fund.

4. Transfer of assets of Gwembe District Special Fund

On the commencement of this Act all moneys and other assets on that date in or standing to the credit of the Gwembe District Special Fund established under section 9 of the Order, Appendix 5 of the 1965 Edition of the Laws, shall vest in the Minister and thereupon the Gwembe District Special Fund shall stand dissolved.

5. Moneys payable into the Fund

The Fund shall consist of—

- (a) all monies and other assets vested in the Fund by section four;
- (b) all monies which shall, on and after the commencement of this Act, be received by the Government by way of rent or other payments in respect of leases, wayleaves or other rights granted under section 6 of the Order;
- (c) any other monies or assets which would, but for the dissolution of the Gwembe District Special Fund, be payable into that Fund;
- (d) any monies which are paid to the Minister pursuant to section six; and
- (e) any monies and other assets which vest in or accrue to the Fund in the course of the administration of the Fund.

6. Administration of the Fund

- (1) The Fund shall be administered by the Minister for the purpose of making grants to the Gwembe Rural Council, and without prejudice to the generality of the foregoing, such grants may be made for the maintenance of a water supply to and within the Gwembe Rural Area.
- (2) For the purpose of administering the Fund, the Minister may—
 - (a) invest any moneys for the time being standing to the credit of the Fund in such stocks, shares, funds, securities or other investments or property as he may in his discretion think fit with power to realise any monies so invested and reinvest as aforesaid;
 - (b) authorise payments to be made out of the Fund in defending, settling or satisfying any claim made pursuant to subsection (3);
 - (c) take such steps and action as may be necessary to collect any moneys or assets belonging to or payable to the Fund;
 - (d) authorise payments to be made out of the Fund in defraying the costs of the administration of the Fund;
 - (e) take such other steps and action as may be necessary for the administration of the Fund and for the carrying out of the purposes of the Fund.
- (3) Monies or other assets due whether before or after the commencement of this Act to be paid by or to the Gwembe District Special Fund shall be paid by or to the Minister; and any right of action in respect of any such monies or assets may be prosecuted by or against the Minister.
- (4) In any action brought in pursuance of subsection (3), any defence which would have been available to or against the Gwembe District Special Fund or the trustees of that fund shall be available to or against the Minister.