

GOVERNMENT OF ZAMBIA

ACT

No. 3 of 1986

Date of Assent: 17th April, 1986

An Act to amend the Constitution of Zambia

Enactment

[21st April, 1986

ENACTED by the Parliament of Zambia.

1. (1) This Act may be cited as the Constitution of Zambia (Amendment) Act, 1986, and shall be read as one with the Constitution.

Short title and commencement. Cap. 1

(2) Sections *two to six* of this Act shall come into force on the 1st April, 1986.

2. Article 7 of the Constitution is hereby repealed.

Repeal of Article 7

3. Article 8 of the Constitution is amended—

Amendment of Article 8

(a) in the marginal note by the deletion of “ or confirmed ”;

(b) in clause (1)—

(i) by the deletion of “ , or for the confirmation of citizenship, as the case may be ”; and

(ii) by the deletion of paragraph (a).

4. Article 9 of the Constitution is amended in the proviso to paragraph (b) by—

Amendment of Article 9

(a) the insertion of “ or ” at the end of sub-paragraph (i);

(b) the deletion of “ or ” at the end of sub-paragraph (ii); and

(c) the deletion of sub-paragraph (iii).

5. Article 11 of the Constitution is amended by the deletion of clause (2).

Amendment of Article 11

6. Article 12 of the Constitution is amended by the deletion of clause (3) and the substitution therefor of the following new clauses:

Amendment of Article 12

(3) For the avoidance of doubt, it is hereby declared that a person born in Zambia before the 1st April, 1986, whose father was an established resident shall continue to enjoy the rights and privileges, and shall remain subject to the law, prevailing immediately before that date.

(4) For the purposes of this Part—

“Citizenship Board” means the Citizenship Board established by or under an Act of Parliament;

“established resident” means a person who, immediately before the 1st April, 1986, qualified for that status in accordance with the law then prevailing.

Amendment
of Article
68

7. Article 68 of the Constitution is amended by the deletion of clauses (5) and (6) and the substitution therefor of the following clauses:

(5) A person holding or acting in any post, office or appointment—

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(a) in the Defence Force as defined in the Defence Act, the Combined Cadet Force, the Zambia National Service or in any other force or service established for the defence of Zambia;

(b) in the Zambia Police Force, the Zambia Police Reserve, the Zambia Security Intelligence Service, the Anti-Corruption Commission, the Zambia Prison Service or in any other force or service established for the preservation of security in Zambia;

(c) in the public service, including an office to which Article 116 applies;

(d) in the teaching service;

(e) in a parastatal body;

(f) prohibited in that behalf by or under an Act of Parliament; or

(g) in the Party on the basis of full-time employment; shall not be qualified to be elected as a member of the National Assembly unless he has resigned from such post, office or appointment.

(6) In this Article “parastatal body” means any statutory corporation or any company, association or other body in which the Government has a majority or controlling interest.

Amendment
of
Article 71

8. Article 71 of the Constitution is amended in clause (2) by the deletion of paragraph (dd) and the substitution therefor of the following:

(dd) if he is sentenced by any court to death or to imprisonment (by whatever name called) for a term exceeding six months; .