

GOVERNMENT OF ZAMBIA

ACT

No. 13 of 2006

Date of Assent: 12th May, 2006.

An Act to amend the Judicial (Code of Conduct) Act.

[19th May, 2006

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Judicial (Code of Conduct) (Amendment) Act, 2006, and shall be read as one with the Judicial (Code of Conduct) Act, 1999, in this Act referred to as the principal Act.

Short title

Act No. 13 of
1999

2. Section *two* of the principal Act is amended —

Amendment
of section 2

(a) by the deletion of the definition “ Committee ”; and

(b) by the insertion in the appropriate place of the following new definition:

“ Authority ” means the Judicial Complaints Authority established under section *twenty*;

3. Part VI of the principal Act is amended by the deletion of the heading “ COMPLAINTS COMMITTEE ” and the substitution therefor of the heading “ JUDICIAL COMPLAINTS AUTHORITY ”.

Amendment
of Part VI

4. The principal Act is amended by the repeal of sections *twenty* and *twenty-one* and the substitution therefor of the following sections:

Repeal and
replacement
of sections 20
and 21

20. (1) There is hereby constituted a Judicial Complaints Authority which shall consist of five members who have held or are qualified to hold high judicial office.

Judicial
Complaints
Authority

(2). The members of the Authority shall be appointed by the President subject to ratification by the National Assembly.

(3) The appropriate authority or the Director of Public Prosecutions shall, where a report is made by the Authority under subsection (1), notify the member against whom the report is made within seven days from the date the report is received and shall thereafter notify the Authority of the action taken, if any, on the Authority's recommendation.

Amendment
of section 25

8. Section *twenty-five* of the principal Act is amended—

- (a) in subsections (1) and (2) by the deletion of the word " Committee " and the substitution thereof of the word " Authority ";
- (b) in paragraph (c) of subsection (3) by the deletion of the word " Administrator " and the substitution thereof of the word " Commissioner ";
- (c) in subsection (8) by the deletion of the word " Committee " and the substitution thereof of the word " Authority ".

Amendment
of section 26

9. Section *twenty-six* of the principal Act is amended in subsection (2)—

- (a) by the deletion of the words " seven days " after the word " within " and the substitution thereof of the words " twenty-one days "; and
- (b) by the deletion of the word " Committee " and the substitution thereof of the word " Authority ".

Amendment
of section 27

10. Section *twenty-seven* of the principal Act is amended—

- (a) in subsection (1) by the deletion of the word " Committee " and the substitution thereof of the word " Authority "; and
- (b) in subsection (2) by the deletion of the word " Committee " wherever it appears and the substitution thereof of the word " Authority ".

Amendment
of section 28

11. Section *twenty-eight* of the principal Act is amended by the deletion of the word " Committee " wherever it appears and the substitution thereof of the word " Authority ".

Insertion of
new section
28A

12. The principal Act is amended by the insertion immediately after section *twenty-eight* of the following new section:

Expenses
of Authority

28A. The expenses and costs of the Authority shall be paid out of funds appropriated by Parliament for the performance of the Authority's functions under this Act.

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13. Section *twenty-nine* of the principal Act is amended in subsection (1) by the deletion of the word “Committee” and the substitution therefor of the word “Authority”. Amendment of section 29
14. Section *thirty* of the principal Act is amended in subsection (1) by the deletion of the word “Committee” and the substitution therefor of the word “Authority”. Amendment of section 30
15. Section *thirty-two* of the principal Act is amended by the deletion of the word “Committee” and the substitution therefor of the word “Authority”. Amendment of section 32
16. Section *thirty-three* of the principal Act is amended in subsection (2) by the deletion of the word “Committee” and the substitution therefor of the word “Authority”. Amendment of section 33
17. Section *thirty-five* of the principal Act is amended by the deletion of the words “Chief Justice” and the substitution therefor of the word “Minister”. Amendment of section 35
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