

GOVERNMENT OF ZAMBIA

# ACT

No. 5 of 2009

Date of Assent: 31st March, 2009

**An Act to amend the Zambia Development Agency Act.**

[ 3rd April, 2009

ENACTED by the Parliament of Zambia.

Enactment

1. (1) This Act may be cited as the Zambia Development Agency (Amendment) Act, 2009, and shall be read as one with the Zambia Development Agency Act, 2006, in this Act referred to as the principal Act.

Short title and commencement

Act No. 11 of 2006

(2) This Act shall be deemed to have come into operation on 31st January, 2009.

2. Section *three* of the principal Act is amended by the insertion in the appropriate place of the following new definition:

Amendment of section 3

“ industrial park ” means any area or premises in Zambia that has been declared an industrial park under section *eighteen*;

3. Section *five* of the principal Act is amended in subsection (2) —

Amendment of section 5

(a) in paragraph (a), by the insertion of the words “ and industrial parks ” after the words “ multi facility economic zones ”;

(b) in paragraph (a), by the insertion of the words “ and industrial parks ” after the words “ multi facility economic zones ” wherever they appear;

- (c) in paragraph (p), by the insertion of the words “ and industrial parks ” after the words “ multi facility economic zones ” wherever they appear;
- (d) by the deletion of paragraph (q) and the substitution therefor of the following new paragraph:
  - (q) monitor and evaluate the activities, performance and development of enterprises operating in multi-facility economic zones or industrial parks and prescribe and enforce measures, for the business or activity carried out within a multi-facility economic zone or an industrial park so as to promote the safety and efficiency of its operations; and
- (e) by the deletion of paragraph (r) and the substitution therefor of the following new paragraph:
  - (r) promote and market multi-facility economic zones and industrial parks among investors;.

Amendment  
of section 18

4. Section *eighteen* of the principal Act is amended—

- (a) in the marginal note by the insertion of the words “and industrial parks” after the word “ zones ”;
- (b) in subsection (1) by the deletion of the comma and the words “ premises or building to be a multi-facility economic zone “ after the words “ declare an area ” and the substitution therefor of the words “ or premises to be a multi-facility economic zone or an industrial park ”; and
- (c) by the deletion of subsection (2) and the substitution therefor of the following subsection:
  - (2) A statutory instrument made under subsection (1) shall prescribe the—
    - (a) limits of the area or premises declared as a multi-facility economic zone or an industrial park;
    - (b) facilities to be provided and maintained within a multi-facility economic zone or an industrial park;

- (c) terms and conditions under which goods produced and services provided in a multi-facility economic zone or an industrial park may be sold, exported or otherwise disposed of;
- (d) activities which are prohibited within a multi-facility economic zone or an industrial park;
- (e) conditions under which goods may be removed from a multi-facility economic zone or an industrial park;
- (f) the powers and obligations of an investor in a multi-facility economic zone or an industrial park; and
- (g) such other matters as are necessary for the effective and efficient operations of a multi-facility economic zone or an industrial park.

5. Section *fifty-seven* of the principal Act is amended by the deletion of subsection (1) and the substitution therefor of the following new subsection:

Amendment  
of section 57

(1) Any machinery or equipment acquired by—

- (a) a developer of a multi-facility economic zone or an industrial park;
- (b) a business enterprise conducting operations in a priority sector or in respect of a priority product in a multi-facility economic zone;
- (c) a business enterprise conducting operations in an industrial park; or
- (d) a rural business enterprise;

shall be exempted from duties as specified by or under the Customs and Excise Act.

Cap. 322

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Amendment  
of section 60

6. Section *sixty* of the principal Act is amended by the deletion of the words "Commissioner-General" and the substitution therefor of the words "Minister responsible for finance".

Amendment  
of section 82

7. Section *eighty-two* of the principal Act is amended in paragraph *(b)* of subsection (2) by the insertion of the words "or industrial parks" after the words "multi-facility economic zones."

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