

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT No. 4 OF 2023

The Local Authorities Superannuation Fund Act

(Laws, Volume 16, Cap 284)

**The Local Authorities Superannuation Fund (Board)
(Amendment) Rules, 2023**

IN EXERCISE of the powers contained in section 41 of the Local Authorities Superannuation Fund Act, after consultation with the Board, the following Rules are made:

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| 1. (1) These Rules may be cited as the Local Authorities Superannuation Fund (Board) (Amendment) Rules, 2023, and shall be read as one with the Local Authorities Superannuation Fund (Board) Rules, 1992, in these Rules referred to as the Principal Rules. | Title
S.I. No. 61
of 1992 |
| 2. Rule 2 (2) of the Principal Rules is amended by the insertion of the following new definitions in the appropriate places in alphabetical order: | Amendment
of rule 2 |
| “associate” has the meaning assigned to the word in the Anti-Corruption Act, 2012; | Act No. 3 of
2012 |
| “Emoluments Commission” means the Emoluments Commission established under the Constitution; | Cap. 1 |
| “Legally disqualified” means the absence of Legal capacity as provided in Section 4 of the Mental Health Act, 2019; and | Act No. 6 of
2019 |
| “relative” has the meaning assigned to the word in the Anti-Corruption Act, 2012. | Act No. 3 of
2012 |

Revocation
and
replacement
of rule 3

Composition
of Board

3. The Principal Rules are amended by the revocation of rule 3 and the substitution therefor of the following:

3. (1) The Board shall consist of the following part-time members appointed by the Minister:

(a) a representative each from the Ministry responsible for—

(i) Local Government; and

(ii) Finance.

(b) a representative of the Attorney-General;

(c) a representative of the trade unions operating in the associated authorities;

(d) a representative of the associated authorities; and

(e) two persons with proven knowledge and experience in pension fund management.

(2) The managing Director shall be an ex-officio member of the Board.

(3) The ministries and institutions referred to under subrule (1) (a), (b), (c) and (d) shall nominate their representatives for appointment by the Minister.

(4) The Minister shall appoint a Chairperson of the Board from among the members.

(5) The members shall elect the Vice-Chairperson from among themselves.

(6) A member may, where the member is for any reason unable to attend a meeting of the Board, nominate another person in writing from the same ministry or institution to attend a meeting of the Board in that member's stead and that person shall be deemed to be a member for the purpose of that meeting.

Revocation
and
replacement
of rule 4

Tenure of
Office

4. The Principal Rules are amended by the revocation of rule 4 and the substitution therefor of the following:

4. (1) A member of the Board shall, subject to the provisions of the Act and these Rules, hold office for a term of three years and may be re-appointed for a further and final term of three years.

(2) A member shall, on the expiration of the period for which that member is appointed, continue to hold office until a successor is appointed, but in no case shall the further period exceed three months.

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| <p>5. The principal rules are amended by the revocation of rule 5 and substitution therefor of the following:</p> | <p>Revocation and replacement of rule 5</p> |
| <p>5. (3) The office of a member becomes vacant if that member—</p> <ul style="list-style-type: none"> (a) dies; (b) is adjudged bankrupt; (c) is absent from three consecutive meetings of the Board of which the member has had notice, without the prior approval of the Board; (d) resigns, on giving one month's notice to the Minister; (e) is legally disqualified from performing the functions of a member; (f) ceases to be a member of the ministry or institution which nominated the member; or (g) is convicted of an offence under any other written law and sentenced to imprisonment for a term exceeding six months without the option of a fine. <p>(4) The Minister shall, where the office of a member becomes vacant before the expiry of the term of office, appoint another member in place of that member, but that member shall hold office as a member only for the unexpired part of the term of the Board.</p> | <p>Vacancy of member</p> |
| <p>6. Rule 12 of the principal Rules is amended by the deletion of the word “five” and the substitution therefor of the word “four”.</p> | <p>Amendment of rule 12</p> |
| <p>7. The principal Rules are amended by the revocation of rule 13 and the substitution therefor of the following:</p> | <p>Revocation and replacement of rule 13</p> |
| <p>13. (1) The Board may, for the purpose of performing its functions under the Act, constitute a committee as it considers necessary and delegate to the committee any of its functions.</p> <p>(2) The Board may appoint, as members of a committee, persons who are or are not members of the Board except that at least one member of the Board shall be a member of a committee.</p> <p>(3) A member of the Board shall be the chairperson of a committee.</p> <p>(4) A member of a committee shall hold office for a period that the Board may determine.</p> | <p>Committees of Board</p> |

- (5) A committee shall have the power to invite any person whose presence, in its opinion, is desirable to attend and participate in the deliberations of the meeting of the committee but that person shall have no vote.
- (6) Subject to any specific or general direction of the Board and other provisions of this rule, a committee may regulate its own procedure at a meeting.
8. The principal Rules are amended by the revocation of rule 14 and the substitution therefor of the following:
14. A member of the Board or any committee of the Board shall be paid allowances that the Emoluments Commission may, on the recommendation of the Minister, determine.
9. The principal Rules are amended by the insertion of the following new rule immediately after rule 14:
- 14A. (1) If any person is present at a meeting of the Board or a committee of the Board at which any matter, in which that person or any member of that person's relative or associate is directly or indirectly interested in a private capacity, is the subject of consideration, that person shall, as soon as practicable during the meeting disclose that interest and shall not, unless the Board or the committee otherwise directs, take part in any consideration or discussion of, or vote on, any question relating to that matter.
- (2) A disclosure of interest made under this rule shall be recorded in the minutes of the meeting at which the disclosure is made.

Revocation
and
replacement
of rule 14
Allowances

Insertion of
rule 14A

Disclosure
of interest

G. NKOMBO,
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LUSAKA
13TH FEBRUARY, 2023
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