

GOVERNMENT OF ZAMBIA

ACT

No. 14 of 2006

Date of Assent: 12th May, 2006

An Act to amend the Legal Practitioners Act.

[19th May, 2006

ENACTED by the Parliament of Zambia.

Enactment

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

Short title

Cap. 30

2. Section *four* of the principal Act is amended in subsection (2) by the deletion of the words “twelve months” after the words “shall hold office for” and the substitution therefor of the words “three years”.

Amendment
of
section 4

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

Amendment
of
section 13A

(a) by the deletion of the words “three years” after the words “or for periods amounting in all to,” and the substitution therefor of the words “five years”;

(b) by the deletion of the full stop at the end of paragraph (e) and the substitution therefor of a colon; and

(c) by the insertion after the colon of the following new proviso:

Provided that for purposes of appearing before the Supreme Court “requisite practical experience” means active employment for a continuous period of, or for periods amounting in all to, three years.

Repeal and replacement of section 16	4. The principal Act is amended by the repeal of section <i>sixteen</i> and the substitution therefor of the following section:
Attorney-General and Solicitor-General to be appointed State Counsel for Zambia	16. Upon the appointment of any person to the office of the Attorney-General or the Solicitor-General, the rank and dignity of a State Counsel for Zambia shall be conferred upon such person by the President.
Amendment of section 17	5. Section <i>seventeen</i> of the principal Act is amended in subsection (2) by the insertion of the words “and the Association ” after the words “after consultation with the Chief Justice ”
Amendment of section 18	6. Section <i>eighteen</i> of the principal Act is amended in subsection (3) by the insertion of the words “or Solicitor-General” after the words “office of Attorney-General. ”
Amendment of section 19	7. Section <i>nineteen</i> of the principal Act is amended in subsection (2) by the insertion of the words “or the Solicitor-General” after the words “the Attorney-General ”.
Amendment of section 22	8. Section <i>twenty-two</i> of the principal Act is amended in subparagraph (ii) of paragraph (c) of subsection (3) by the deletion of the words “two thousand penalty units ” after the words “impose a penalty not exceeding ” and the substitution therefor of the words “one hundred thousand penalty units ”.
Insertion of new section 22A	9. The principal Act is amended by the insertion immediately after section <i>twenty-two</i> of the following new section:
Suspension of Legal Practitioner from practice	22A. (1) Where an application under paragraph (b) of subsection (1) of section <i>twenty-two</i> discloses a <i>prima facie</i> case of misconduct, the Disciplinary Committee may advise the Practitioners’ Committee, appointed under section <i>thirteen</i> of the Law Association of Zambia Act, to suspend the practising certificate of the practitioner to whom the application relates for such period as the Practitioners’ Committee may determine pending the determination of the case, if the Disciplinary Committee is satisfied that such suspension is necessary in order to safeguard the interests of the public.
Cap. 31	(2) Notwithstanding subsection (1), the Legal Practitioners Committee may on its own volition, where it considers it fit, suspend, for such period as the Committee may determine, the

practising certificate of a practitioner against whom disciplinary proceedings have been instituted for misconduct and shall submit the matter to the Disciplinary Committee.

10. The First Schedule to the principal Act is amended by the insertion after the Oath of Office of the Oath of State Counsel set out in the Appendix to this Act.

Amendment
of First
Schedule

APPENDIX

(Section 10)

Amendment to the First Schedule

OATH OF STATE COUNSEL

I,, having been granted by the President of the Republic of Zambia, by letters patent, the dignity of State Counsel, do hereby declare that I will, when called upon to do so, as one of counsel learned in the law, truly serve the State in its matters; that I will preserve, protect and defend the Constitution of Zambia as by law established and will faithfully represent, to the best of my ability, without fear or favour of any person, all those who shall entrust me to represent them before any Court of law.

SO HELP ME GOD

.....

Sworn this.....day of....., 20.....

Before me:

.....

President

