

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 42 OF 1994

The Roads and Road Traffic Act
(Laws, Volume XV, Cap. 766)

**The Roads and Road Traffic (National Roads Board)
(Powers and Functions) Order, 1994**

IN EXERCISE of the powers contained in section *sixty-two* of the Roads and Road Traffic Act, the following Order is hereby made:

1. This Order may be cited as the Roads and Road Traffic (National Roads Board) (Powers and Functions) Order, 1994.

Title

2. In this Order, unless the context otherwise requires—

Interpreta-
tion

"Board" means the National Roads Board constituted by the Minister under section *fifty-five* of the Act;

"highway authority" shall have the same meaning as contained in the Act;

"Ministers" means the Ministers responsible for Communications and Transport, Works and Supply and Local Government and Housing.

3. (1) The Fund styled the Road Fund established by the Permanent Secretary of the Ministry of Finance under paragraph (c) of subsection (1) of section *eight* of the Finance (Control and Management) Act shall be vested in the Board for the purpose of road maintenance and rehabilitation.

The Road
Fund

Cap. 600

(2) The Road Fund shall consist of—

(a) fuel levy;

(b) such sums as may be appropriated by Parliament for the purposes of the Board;

(c) donor funding;

(d) SAP road fund; and

(e) road user levies including tariffs, taxes and tolls as may be recommended by the Board.

Powers of
the Board

4. For the purpose of performing its functions, the Board shall have the power to—

- (a) classify, reclassify, close or divert any road;
- (b) accept or reject proposals and programmes from road agencies;
- (c) construct, maintain and control storm-water drains;
- (d) control roads and traffic in the country during maintenance and construction of roads;
- (e) place temporary and permanent traffic signs;
- (f) remove and alter road advertisements;
- (g) enter upon land to carry out investigations connected with siting, diverting, maintenance and construction of roads;
- (h) recommend the reservation of land for proposed roads;
- (i) prohibit any unauthorised acts that may lead to damage of existing roads in State Lands and Reserves;
- (j) park vehicles, erect huts on private land during construction, maintenance and investigation;
- (k) regulate undertakers' work across, on and within road reserves;
- (l) prevent damage to roads;
- (m) provide footpaths, cycle tracks and similar passageways; and
- (n) undertake ancillary works.

Functions of
the Board

5. The functions of the Board shall be to—

- (a) administer and manage the Road Fund;
- (b) prepare and publish audited annual accounts of the Road Fund;
- (c) recommend, to the Ministers, additional fuel levy and other road user charges and tariffs as required;
- (d) recommend projects for donor funding to the Ministers;
- (e) allocate resources for road maintenance and rehabilitation for various classes of roads as may be determined, by the Ministers;
- (f) recommend funding for development of new roads;
- (g) provide guidance and technical assistance to various road agencies;
- (h) receive and consider reports from road agencies on their activities and prepare quarterly and consolidated annual reports;
- (i) prepare and award contracts, certification and payments, and advise the Ministers accordingly;

- (j) review design standards and classification of roads and traffic signs for approval by the Ministers;
- (k) prepare and review terms of reference and guidelines for the various Road Authorities and budget guidelines;
- (l) recommend to the Ministers the granting of highway authorityship to any person or institution;
- (m) plan, manage and co-ordinate the road network in the country;
- (n) review from time to time the status of roads agencies and recommend appropriate action to the Ministers; and
- (o) make recommendations in relation to the siting of buildings on road-sides.

LUSAKA

24th February, 1994

[MTC.10/1/3c]

W. HARRINGTON,

*Minister of Communications**and Transport*

