

## GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 7 OF 2002

**The Local Government Act**  
(Laws, Volume 16, Cap. 281)

**The Shang'o'mbo District Council (Sustainable Management and  
Utilisation of Natural Resources) By-laws, 2002**

IN EXERCISE of the powers contained in sections *sixty-nine* and *seventy-six* of the Local Government Act, the following By-laws are hereby made:

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|--|-------------------------------------|
| 1. These By-laws may be cited as the Shang'o'mbo District Council (Sustainable Management and Utilisation of Natural Resources) By-laws, 2002  | Title                               |
| 2. In these By-laws, unless the context otherwise requires—<br>“area” means the area under the jurisdiction of the Council;<br>“check-point” means any place within the area designated by the Council for the payment of any levy under these By-laws;<br>“Council” means the Shang'o'mbo District Council;<br>“District Committee” means the District Natural Resources Committee established under paragraph 6 of these By-laws;<br>“resident” means a person who is habitually resident in the area for a period not less than twelve months;<br>“village” means the locally recognised unit of traditional administration commonly referred to as silalo or sililanda; and<br>“traditional leadership” means the Barotse Royal Establishment. | Interpretation                      |
| 3. There shall be established Village Natural Resources Committees in the area at the places set out in the First Schedule.  | Establishment of village committees |
| 4. (1) The functions of the Village Natural Resources Committees shall be to—<br>(a) monitor the utilisation of natural resources in the area;<br>(b) stimulate interest in the conservation of natural resources in the community;<br>(c) direct and co-ordinate natural resources based development projects in the area;  | Functions of village committees     |

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P.O. Box 30136, Lusaka, Price K1,500 each.*

- (d) supervise and spearhead the conservation efforts and utilisation of natural resources in the area;
- (e) report to the District Natural Resources Committee on matters relating to conservation, regeneration and stocking of natural resources;
- (f) assist in the enforcement of By-laws; and
- (g) promote, support and lead conservation efforts and sustainable practices and give effect to the provisions of these By-laws.

(2) The functions of the Village Natural Resources Committees shall not be construed as being in conflict with the powers and functions of any body created by any other written law.

Composition and tenure of village committees

5. (1) The Village Natural Resources Committee shall be comprised as follows :

- (a) a representative of the traditional leadership;
- (b) four councillors from the village where the committee is established; and
- (c) two members from the community.

(2) The two members from the community of the Village Natural Resources Committee shall be elected by the residents of the village that they represent in a manner to be agreed and shall hold office for a period of two years.

(3) A persons membership to the Village Natural Resources Committee shall cease when—

- (a) the person ceases to be a resident of the village;
- (b) the person ceases to hold position by virtue of which he was appointed member; or
- (c) the person contravenes any of the provisions of these By-laws.

Establishment of District Committees

6. There shall be established a District Natural Resources Committee in the area.

Functions of the District Committee

7. (1) The functions of the District Natural Resources Committee shall be to—

- (a) co-ordinate natural resources management and conservation activities in the area;
- (b) consult with the relevant water, forests, fisheries, wildlife, agriculture and related environmental bodies and organs on sound conservation and management practices;
- (c) reinforce the relevant forests, water, fisheries, wildlife,

agriculture and related environmental bodies and organs in the enforcement of existing laws and regulations;

- (d) liaise with, and advise, Village Natural Resources Committees on sound management and conservation practices; and
- (e) establish contact with the Council and the relevant Committee of the Council responsible for the administration of the District Natural Resources Committee formed to administer natural resources and the environment.

Forest  
Management  
Committee

(2) The functions of the District Natural Resources Committee shall not be construed as being in conflict with the powers and functions of any body created by any other written law.

8. (1) The District Natural Resources Committee shall be comprised as follows:

Composition  
and tenure of  
District  
Committee

- (a) a representative of the Zambia Wildlife Authority;
- (b) a representative of the Forests Department;
- (c) a representative of the Fisheries Department;
- (d) a representative of the Department of Water Affairs;
- (e) a representative of the traditional leadership;
- (f) the Council Secretary; and
- (g) six councillor's in the District.

(2) A person's membership to the District Committee shall cease where---

- (a) the person ceases to hold the position by virtue of which he was appointed member; or
- (b) the person contravenes any of the provisions of these By-laws.

9. There shall be established in the area, a Community Resources Board whose functions and composition shall be as provided for under the provisions of the Zambia Wildlife Act.

Community  
Resource  
Board  
Act No. 12 of  
1998

10. There shall be established in the area, a Forest Management Committee whose functions and composition shall be as provided for under the provisions of the Forests Act.

Forest  
Management  
Committee

#### FORESTRY

11. (1) Any person who exploits forest produce shall require a licence issued under the Forests Act and shall pay such fees and levies as may be prescribed thereunder.

Fees, levies  
and revenue  
collection

(2) For the purpose of collecting fees and levies under this paragraph and any other written law, the Village Natural Resources Committees and the District Natural Resources Committee shall, in collaboration with the Forests Department, work-out mechanisms for joint management and revenue collection.

Prohibition  
from cutting  
certain trees

12. Notwithstanding the provisions of paragraph 11 and any other written law the cutting, felling or exploitation of Mozauli, Mwande, Mulombe and Mukusi trees in the places specified in the First Schedule is Prohibited:

Provided that where the Village Natural Resources Committee advises that cutting, felling or exploitation may be undertaken, the issuance of licences shall be done under the relevant applicable law.

Tree planting  
by licensees

13. Where a particular species of plant or open forest is threatened with depletion, the Village Natural Resources Committees, through the District Natural Resources Committee, shall advise conservation measures to the Forests Department.

Tree planting  
by licensees

14. (1) Any person who is granted a license for the exploitation of forest produce in the area shall be required to plant four times the number of trees that the person has felled.

Act No. 12 of  
1998

(2) The planting of trees under sub-paragraph (1) shall be undertaken with the supervision of the Village Natural Resources Committee and the Forest Management Committee.

Consent  
letter by  
village  
committee

15. (1) Where a person intends to apply for a licence to exploit forest produce in a place specified in the First Schedule, that person shall first seek the approval of the Village Natural Resources Committee.

(2) The Village Natural Resources Committee's consent to a person's request under sub-paragraph (1) shall be given in writing and addressed to the Director of the Forest Department.

#### FISHERIES

Fees, levies  
and revenue  
collection

16. (1) Any person who engages in fishing activities shall require a licence issued under the Fisheries Act and shall pay such fees and levies as may be prescribed thereunder or any other written law.

(2) For the purpose of collecting fees and levies under this paragraph and any other written law the Village Natural Resources Committees and the District Natural Resources Committee shall, in collaboration with the Fisheries Department, work-out mechanisms for joint revenue collection.

Prohibition  
from cutting  
certain trees

17. Notwithstanding the provisions of paragraph 15 and any other written law the growing, making, use or possession of any poison, poisonous plants and the use of small meshed nets for fishing is prohibited in the places specified in the First Schedule.

## RANGELANDS AND ANIMAL PRODUCTION

18. (1) Any person who burns or causes a fire to burn in any of the places set out in the First Schedule at a time and during a period other than the authorised period for burning commits an offence.

Burning of fires

(2) For the purposes of sub-paragraph (1) the authorised period for burning shall be such period as the Council may determine from time to time.

19. (1) Any person who buys or exports cattle or other livestock from the places set out in the First Schedule shall pay such levies as may be prescribed under any By-laws made pursuant to the Local Government Act or any other written law.

Fees, levies and revenue collection

Cap. 281

(2) For the purpose of collecting fees and levies under this paragraph and any other written law the Village Natural Resources Committee's and District Committee shall, in collaboration with the Council, work-out mechanisms for the joint revenue collection.

## WILDLIFE

20. (1) Any person who hunts, takes photographic pictures or otherwise deals in any wildlife activity shall require a licence issued under the Zambia Wildlife Act and shall pay such fees and levies as may be prescribed thereunder or any other written law.

Fees, levies and revenue collection

Act No. 12 of 1998

(2) For the purposes of collecting fees and levies under this paragraph and any other written law the Village Natural Resources Committees and District Natural Resources Committee shall, in collaboration with the Zambia Wildlife Authority, work-out mechanisms for joint revenue collection.

21. (1) There shall be appointed, in the place set out in the First Schedule, community scouts in accordance with the provisions under the Zambia Wildlife Act.

Community scouts

(2) The scouts appointed under sub-paragraph (1) shall perform the duties of a wildlife police officer as stipulated under the Zambia Wildlife Act.

Act No. 12 of 1998

## GENERAL

22. Any person who contravenes any of the provisions of these By-laws commits an offence and shall be liable to a fine not exceeding eighty penalty units or to imprisonment for a period not exceeding six months or to both.

Penalty

## FIRST SCHEDULE

*(Paragraph 3)*

Silwana plain, including—

- (a) Bushe;
- (b) Mutomena;
- (c) Mbume;
- (d) Mulele;

## SECOND SCHEDULE

*(Paragraph 21)*

1. Mutomena, Mwanambao and Sipangule in Mutomena areas
2. Mulele
3. Kataba School
4. Ng'ombe School
5. Lyabangu School
6. Maime School
7. Chibale School
8. Likumeno School

Made by the Shang'ombo District Council this 16th day of  
November, 2001.

C. N. MABUKU,  
*Chairman,*  
*Shang'ombo District Council*

K. TUMUSIYE,  
*Secretary,*  
*Shang'ombo District Council*

Confirmed by me at Lusaka this 11th day of January, 2002

M. M. MABENGA,  
*Minister of Local Government*  
*and Housing*

LUSAKA