

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 27 OF 2004

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

The Nakonde District Council (Pole Levy) By-laws, 2004

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 Nakonde District Council (Pole Levy) By-laws, 2004. | Title |
| 2. In these By-laws, unless the context otherwise requires—
“area ” means the area under the jurisdiction of the Council;
“check point ” means any place within the area designated by the Council for checking and payment of Pole levy;
“collector ” means any officer of the Council authorised by the Council and includes any person or agent authorised by the Council to collect revenue for the Council;
“council ” means the Nakonde District Council; and
“ pole ” means any pole erected by the Zambia Telecommunications Company Limited to support the communication cables and by the Zambia Electricity Supply Corporation Limited to support their Powerlines and includes wooden poles, pylons, steel towers and iron rods. | Interpretation |
| 3. Any person who erects a pole within the area for operations shall pay a Pole levy to the Council at the rate of one thousand two hundred kwacha per steel pylon pole per year, and six hundred kwacha per wooden pole per year. | Imposition of pole levy |
| 4. (1) A person who erects a pole shall pay to the collector a pole levy, in respect of the poles erected by such person, as soon as a bill has been presented to that person. | Place of payment and collection of pole levy |

(2) The collector shall immediately after receiving the levy issue an official receipt for each such payment.

Offences and penalties

5. (1) A person who contravenes any provision of these By-laws commits an offence and shall be liable, upon conviction—

(a) in the case of the first offence, to a fine not exceeding eighty penalty units or to imprisonment for a period of not exceeding six months, or to both; and

(b) in the case of the second or subsequent offence, to a fine of sixteen penalty units for each day during which the contravention continues.

(2) In addition to any penalty prescribed by sub by-law (1) the court may order that any expenses incurred by the Council in consequence of such contravention shall be paid by the company committing the contravention.

Made by the Nakonde District Council this 13th day of February, 2004.

B. B. SILWIMBA,
Chairman,
Nakonde District Council

L. M. KASONDE,
Secretary,
Nakonde District Council

Confirmed by me this 1st day of March, 2004.

S. T. MASEBO,
Minister of Local Government
and Housing

LUSAKA

1st March, 2004

[MLGH.102/51/62]