

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 45 OF 2004

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

The Mungwi District Council (Timber 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 Mungwi District Council (Timber 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;
“ checkpoint ” means any place within the area designated by the Council for payment of timber levy;
“ collector ” means any officer of the Council authorised to collect revenue for the Council and includes any person or agent authorised by the Council to collect revenue for the Council;
“ Council ” means the Mungwi District Council; and
“ timber ” means the part of any felled or fallen tree which has been cut off, or can be cut off, to provide wood whether sawn, split, hewn, sliced, veneered or otherwise fashioned, which is sound and reasonably straight, and which is one point two metres or more and thirty centimetres or more in minimum diameter under bark. | Interpretation |
| 3. Any person who buys and sells timber within the area or exports timber from the area shall pay to the Council a timber levy at the following rates:
(a) in case of planks being sold within Mungwi District, a levy of five hundred kwacha per plank; and
(b) in case of planks being exported out of the Mungwi District a levy eight hundred kwacha per plank. | Imposition of timber levy |
| 4. A person shall not sell within, or export from, the area any timber which has not been counted and for which a timber levy has not been paid to the Council. | No sale of timber without payment of timber levy |

Place of
payment and
collection of
timber levy

5. (1) A person who buys and exports timber shall pay a timber levy to the collector at a checkpoint.

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

Offences and
penalties

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

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

(b) in the case of a 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 person committing the contravention.

Made by the Mungwi District Council this 5th day of November, 2003.

S. BWALYA,
Chairman,
Mungwi District Council

G. C. KANGWA,
Secretary,
Mungwi District Council

Confirmed by me this 30th day of March, 2004.

LUSAKA
[MLGH.102/51/63]

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