

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 47 OF 2007

The Local Government Act
(Laws, Volume 16, Cap. 281)**The Mwense District Council (Pole Levy) By-Laws,
2007**

IN EXERCISE of the powers contained in section *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 Mwense District Council (Pole Levy) By-Laws, 2007. | Title |
| 2. In these By-Laws, unless the context otherwise requires— | Interpretation |
| “area” means the area under the jurisdiction of the Council; | |
| “checkpoint” means any place within the area designated by the Council for the payment of pole levy; | |
| “collector” means any officer or agent of the Council authorised to collect revenue for the Council; | |
| “company” means the Zambia Telecommunications Company Limited, Zambia Electricity Supply Corporation Limited and any other company erecting a pole or poles for the supply of electricity or the provision of telecommunication services, or any agent appointed by any such company; | |
| “Council” means the Mwense District Council; and | |
| “pole” means any piece of wood or steel pylon or anything used to support any overhead wire or cable that transmits electrical power or telegraphic messages. | |
| 3. Any company which erects or maintains, within the area, any pole for the supply of electricity or telecommunication services shall pay a pole levy to the Council at the following rates: | Imposition
of pole
levy |

(a) one thousand two hundred kwacha per steel pylon per year; and

(b) six hundred kwacha per wooden pole per year.

No erection or maintenance of pole without payment of pole levy

4. A company shall not erect or maintain a pole for the provision of electricity or telephone services in the area for which a pole has not been paid to the Council.

Place and time of payment of pole levy

5. Pole levy shall be paid at the beginning of the year to a collector who shall immediately issue an official receipt for each such payment.

Offences and penalties

6. (1) Any person who contravenes these By-Laws, commits an offence and is liable upon, conviction—

(a) to a fine not exceeding eighty penalty units or to imprisonment for a period not exceeding six months, or to both; and

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

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

Made by the Mwense District Council this 28th day of June, 2007.

G. CHITAKWA,
Chairman
Mwense District Council

B. MUJAJATI,
Council Secretary
Mwense District Council

Confirmed by me this 28th day of June, 2007.

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

LUSAKA

27th June, 2007

[MLGH./102/51/21]