

THE SCIENCE AND TECHNOLOGY ACT, 1997

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GOVERNMENT OF ZAMBIA

ACT

No. 26 of 1997

Date of Assent: 11 th November, 1997

An act to establish the National Science and Technology Council; to define its functions and provide for its composition; to provide for the establishment of centres and institutes and to define their functions; to constitute management boards for the centres and institutes established under the Act and to provide for their composition; to provide for the establishment of existing research institutions as centres and institutes under this Act; and to provide for matters connected with or incidental to the foregoing.

[14th November, 1997

ENACTED by the Parliament of Zambia.

Enactment

PART I

PRELIMINARY

1. This Act may be cited as the Science and Technology Act, 1997, and shall come into operation on such date as the Minister may, by statutory instrument, appoint.

Short title and commencement

2. In this Act, unless the context otherwise require—

Interpretation

" appointed date " means the date appointed by the Minister under section *one*;

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" centre " means a research and development support centre established under section *seven* or registered under section *nine* ;

" chairperson " means a person appointed as Chairperson for the Council under section *five*;

- Cap. 236
- " Council " means the National Science and Technology Council established under section *three*;
- " Deputy Director " means a person appointed as Deputy Director under section *twelve*;
- " Deputy Executive Secretary " means a person appointed as Deputy Executive Secretary under section *six*;
- " Director " means a person appointed as Director under section *twelve*;
- " Executive Secretary " means a person appointed as Executive Secretary under section *six*;
- " former Council" means the National Council for Scientific Research established under the National Council for Scientific Research Act;
- Government research institution " means a branch or department of the Government whose main function to carry out science and technology research;
- " institute " means a science and technology institute established by the Government under section *seven* or registered as a private institute under section *nine*;
- management board " means a management board constituted under section *ten*;
- " Secretary " means a person appointed as Secretary of the Council under section *six*; and
- " Vice-Chairperson " means a person elected as Vice-Chairperson of the Council under section *five*.

PART II

THE NATIONAL SCIENCE AND TECHNOLOGY COUNCIL

- Establishment of Council
3. (1) There is hereby established the National Science and Technology Council which shall be a body corporate with perpetual succession and a common seal, capable of suing and of being sued in its corporate name, and with power, subject to this Act, to do all such acts and things as a body corporate may by law do or perform.
- (2) The provisions of the First Schedule shall apply to the Council.
- Functions of Council
4. (1) The functions of the Council shall be to promote science and technology so as to improve the quality of life in Zambia.

(2) Without prejudice to the generality of subsection (1), the functions of the Council shall be to—

- (a) promote the development of an indigenous and environmentally friendly technological capacity;
- (b) regulate research in science and technology in Zambia;
- (c) register institutes and centres;
- (d) advise the Government on science and technology policies and activities in Zambia;
- (e) determine broad directions, stimulate co-ordination and initiate special projects in science and technology;
- (f) promote and publicise board national priorities in science and technology research;
- (g) liaise with Government, industry and centres and institutes in science and technology;
- (h) mobilise and distribute financial, **human** and other resources to management boards for science and technology research;
- (i) recommend to the Government the establishment of any new research institutes and centres;
- (j) promote the use of science and technology in industry;
- (k) ensure that gender concerns are integrated at all levels of science and technology development;
- (l) collect and disseminate science and technology information including publication of scientific reports, journals and other such documents and literature;
- (m) establish and maintain a relationship with corresponding scientific organizations in other countries; V
- (n) take all measures that are necessary to popularise science and technology;
- (o) identify and determine national research and development priorities in science and technology; and
- (p) do all such things connected with or incidental to the functions of the Council under this Act.

(3) The Council may, by directions in writing and subject to such conditions as it thinks fit, delegate to any member, committee or the Executive Secretary any of its functions under this Act.

Composition
of Council

5. (1) The Council shall consist of thirteen members appointed by the Minister as follows:

- (a) two members from any research institute or centre established under this Act;
- (b) two members from any public or private university;
- (c) a member from a technical college;
- (d) an engineer from industry;
- (e) a member with rich business and commercial experience in the private sector; and
- (f) a member each from the ministries responsible for science and technology, environment and natural resources, health, commerce and trade, agriculture and mines.

(2) The Chairperson and Vice Chairperson of the Council shall be elected by the members from amongst themselves.

Executive
Secretary,
Deputy
Executive
Secretary
and other
staff

6. (1) Subject to subsection (3), the Council shall, on such terms and conditions as it may determine, appoint an Executive Secretary who shall be the Chief Executive Officer of the Council and who shall, subject to the control of the Council, be responsible for the day to day administration of the affairs of the Council.

(2) The Council may appoint a Deputy Executive Secretary who shall—

- (a) assist the Executive Secretary in the performance of his duties under this Act; and
- (b) discharge the functions of the Executive Secretary whenever the office of the Executive Secretary is vacant or the Executive Secretary is absent or is for any other reason unable to discharge the functions of his office.

(3) The Executive Secretary shall be appointed for a term of three years and shall be eligible for re-appointment for a further term of three years.

(4) The Executive Secretary shall attend meetings of the Council and may address such meetings, but shall have no vote.

(5) The Executive Secretary shall be the Secretary of the Council.

(6) The Council may appoint on such terms and conditions as it may determine, such other staff as it considers necessary for the performance of its functions under this Act.

PART III

SCIENCE AND TECHNOLOGY INSTITUTES AND RESEARCH AND DEVELOPMENT SUPPORT CENTRES

7. (1) The Minister may, on the recommendation of the Council, by statutory instrument, establish any science and technology institute or a research and development support centre and set out the functions of each institute or centre.

Establishment of institutes and centres

(2) An institute or centre established under subsection (1) shall be a body corporate with perpetual succession and a common seal, capable of suing and of being sued in its corporate name, and with power, subject to this Act, to do all such acts and things as a body corporate may by law do or perform.

(3) On or after the appointed date the Minister shall, by statutory instrument, establish the former Council, as an institute under this Act.

(4) On or after the appointed date, the Minister may, by statutory instrument, establish an existing Government research institution as an institute or centre under this Act.

(5) The Second Schedule shall apply to an institute or centre established under this Act.

8. Notwithstanding anything contrary contained in any written law, where any judgement or order has been obtained against any institute or centre established by the Minister under section seven, no execution or attachment or process of any nature thereof, shall be issued against the institute or centre or against any property of the institute or centre, but the Director shall cause to be paid out of the revenue of the institute or centre such amounts as may, by the judgement or order, be awarded against the institute or centre to the person entitled thereto.

Restriction on execution against property of institute or centre

PART IV

REGISTRATION OF CENTRES AND INSTITUTES

9. (1) Every centre or institute shall apply to the Council for registration as a centre or institute in the prescribed form.

Registration of centres and institutes

(2) An application referred to in subsection (1) shall state: _

- (a) the name of the private centre or institute;
(b) the principal place of business;
(c) the names and qualifications of its research and development staff;

(d) the areas of research and development in which the private centre or the institute is involved; and;

(e) any other details the Minister may, on the recommendation of the Council, by statutory instrument prescribe.

(3) The Council shall, subject to subsection (5), register every centre or institute on the payment of the prescribed fee.

(4) Where the Council is not satisfied with the application to register an institute or centre in accordance with subsection (1), it shall refuse to register a centre or institute and shall state the reasons for the refusal.

(5) The Council shall keep a register of centres and institutes registered under subsection (3).

(6) The Council shall every year, publish in the *Gazette*, the list of all institutes and centres registered under this Act.

PART V

CONSTITUTION OF MANAGEMENT BOARDS FOR CENTRES AND INSTITUTES

Constitution of management boards 10. (1) The Minister shall, by statutory instrument, constitutes management board for a centre or institute established under this Act.

(2) In constituting a management board for an institute or centre under subsection (1), the Minister shall appoint not more than seven members of the Board and set out the functions of each management board.

Functions of management board 11. (1) Notwithstanding the provisions of a statutory instrument specifying the functions of each management board pursuant to subsection (2) of section *ten*, a management board for an institute or a centre established under this Act shall—

(a) administer the affairs of any centre or institute established under this Act; and

(b) do all such things as are necessary to promote science and technology.

V

(2) A management board may, by directions in writing and subject to such conditions as it thinks fit, delegate to any member, committee or the Director any of its functions under this Act.

(3) The Council may give to a management board, such general or specific directions with respect to the discharge of its functions as it may consider necessary and the management board shall give effect to such directions.

(4) A management board may collaborate, or enter into agreement, with any organisation or institution on any matter relevant to the carrying out of the functions of the management board under this Act.

(5) The Chairperson and Vice Chairperson of each management board shall be elected by the members from amongst themselves.

12. (1) Subject to subsection (2), a management board shall appoint a Director on such terms and conditions as it may determine, who shall be the Chief Executive Officer of a management board and who shall, subject to the control of the management board, be responsible for the day to day administration of the institute or centre.

Director,
Deputy
Director,
Secretary
and other
staff

(2) The Director shall be appointed for a term of three years and shall be eligible for re-appointment for a further term of three years.

(3) The Director shall attend meetings of a management board and may address such meetings, but shall have no vote.

(4) The Director shall be the Secretary to a management board.

(5) A management board may appoint a Deputy Director who shall—

- (a) assist the Director in the performance of his duties under this Act; and
- (b) discharge the functions of the Director whenever the Office of the Director is vacant or the Director is absent or is for any other reason unable to discharge the functions of his office.

(6) A management board may, on such terms and conditions as it may determine, appoint such other staff as it considers necessary for the performance of its functions under this Act.

13. (1) The Minister may, by statutory instrument, approve arrangements under which all or some of the public officers shall be transferred to the Council or a management board from the public service or from the former council.

(2) Where a person is transferred, in accordance with the arrangements made under subsection (1), his terms and conditions with the Council or a management board shall be no less favourable than those enjoyed while in the public service or the former Council, and for the purposes of determining his rights to, or eligibility for, any pension, gratuity, leave or other benefits, his previous service with the public service or the former Council shall be treated as continued service.

Rights of
management
boards in
discoveries

14. Where any person employed by a management board while carrying out research or other duties makes a discovery, invention or improvement in the course of his duties, the management board shall be deemed to be the owner for all purposes of the rights therein:

Provided that the management board shall pay to that person such bonus, fees or royalties thereof, or make such arrangements for such person to share in the profits derived therefrom, as the management board may determine.

Tax
exemption

15. (1) Notwithstanding any other law to the contrary, centres and institutes shall be exempt from duties and taxes on all capital goods and consumables as agreed by the Minister of Finance.

(2) In this section " consumables" means laboratory consumables.

PART VI

MISCELLANEOUS

Venture
capital fund

16. (1) The Minister shall constitute the Venture Capital Fund to promote new technology in small businesses.

(2) The Minister may, by statutory instrument, provide for the management of the Venture Capital Fund.

Transitional
provisions

17. (1) Subject to the provisions of this Act, a person who immediately before the appointed date held office as a member of the former Council shall on the appointed date, hold office as a member of the Council for a period of three months.

(2) After the period referred to in subsection (1) the members shall be appointed in accordance with this Act.

Vesting of
assets and
transfer of
liabilities

18. (1) The Minister may, by statutory instrument, regulate the transfer of all property which immediately before the appointed date, was the property of the former Council.

(2) The rights, liabilities and obligations relating to the property owned by the former Council shall vest in any institution established under this Act to which the property referred to in subsection (1) shall be transferred.

Registration
of property
to be
transferred

19. (1) Whenever under this Act any property, rights, liabilities or obligations of the former Council are transferred to an institute established under this- Act in respect of which transfer a written law provides for registration, that institution shall make an application in writing to the proper officer or the appropriate registration authority for the registration of the transfer.

(2) The proper officer or the registration authority referred to in subsection (1) shall make such entries in the appropriate register as shall give effect to the transfer and, where appropriate, issue the transferee concerned with a certificate of title in respect of the property or make necessary amendments to the register, as the case may be, and shall make endorsements on the deeds relating to the title, right or obligation concerned.

(3) Registration fees or duty shall not be paid in respect of any transfer effected under this Part.

20. Any legal proceedings or application pending before any authority before the commencement of this Act by or against the former Council may be continued by or against the Council.

Legal proceedings

21. (1) Where any person is aggrieved by any decision made under this Act by the Council, that person may within thirty days of the decision appeal to the Minister.

Appeals

(2) The Minister may vary, confirm, amend or rescind any decision appealed against and shall give reasons for his decision.

22. (1) The Minister may, on the recommendation of the Council, make regulations by statutory instrument for the better carrying out of the provisions of this Act.

Regulations

(2) Without prejudice to the generality of subsection (1) the Minister may, on the recommendation of the Council, make rules or regulations—

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- (a) the conduct of research in science and technology;
- (b) the registration of institutes and centres; and
- (c) any matter which the Board is authorised by this Act to formulate or regulate.

V

(3) Rules or regulations made under this Act may provide in respect of any contravention thereof that the offender shall be liable to a fine not exceeding twenty thousand penalty units or to a term of imprisonment not exceeding five years or to both.

Repeal of Cap. 140

23. The National Council for Scientific Research Act shall stand repealed on the appointed date.

FIRST SCHEDULE

(Section 3)

PART I

ADMINISTRATION

Seal of Council

1. (1) The seal of the Council shall be such device as may be determined by the Council and shall be kept by the Secretary.

(2) The affixing of the seal shall be authenticated by the Chairperson or the Vice-Chairperson and the Secretary or one other person authorised in that behalf by a resolution of the Council.

(3) Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal, may be entered into or executed without seal on behalf of the Council by the Secretary or any other person generally or specifically authorised by the Council in that behalf.

(4) Any document purporting to be a document under the seal of the Council or issued on behalf of the Council shall be received in evidence without further proof, unless the contrary is proved.

Tenure of office of member

2. (1) Subject to the other provisions of this Act, a member shall hold office for a period of three years from the date of appointment and may be re-appointed for a further term of three years:

Provided that the first members shall be appointed for periods ranging from two to three years in order to facilitate retirement by rotation.

(2) A member may resign by giving one month's notice in writing to the Secretary and the appointing authority.

(3) The office of a member shall become vacant—

- (a) upon his death;
- (b) if he is absent without reasonable excuse from three consecutive meetings of the Council of which he has had notice;
- (c) on ceasing to hold the office by virtue of which he was appointed member under **section five'**, or

Filling of casual vacancy

(d) if he is declared bankrupt.

Proceedings of Council

3. Whenever the office of a member becomes vacant before the expiry of the term of office, the Minister may appoint another member in place of the member who vacates the office.

4. (1) Subject to the other provisions of this Act, the Council may regulate its own procedure.

(2) The Council shall meet for the transaction of business, at least once in every three months at such places and at such times as the Chairperson may decide.

(3) Upon giving notice of not less than fourteen days, a meeting of the Council may be called by the Chairperson and shall be called if not less than one third of the members so request in writing:

Provided that if the urgency of any particular matter does not permit the giving of such notice, a special meeting may be called upon giving a shorter notice.

(4) The quorum at any meeting of the Council shall be seven members.

(5) There shall preside at any meeting of the Council—

(a) the Chairperson or the Vice-Chairperson; or

(b) in the absence of the Chairperson and Vice-Chairperson, such member as the members present may elect from amongst themselves for the purpose of that meeting.

(6) A decision of the Council on any question shall be by a majority of the members present and voting at the meeting and, in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

(7) Where a member referred to in paragraphs (a), (b), (c) and (f) section/iv<? is for any reasonable cause unable to attend any meeting of the Council, he may, in writing, nominate another person from the same organisation to attend such meeting in his stead and such person shall be deemed to be a member for the purpose of such meeting.

(8) The Council may invite any person whose presence in its opinion is desirable, to attend and to participate in the deliberations of a meeting of the Council but such person shall have no vote.

(9) The validity of any proceedings, act or decision of the Council shall not be affected by any vacancy in the membership of the Council or by any defect in the appointment of any member or by reason that any person not entitled so to do, took part in the proceedings.

(10) The Council shall cause minutes to be kept of the proceedings of every meeting of the Council and every meeting of any committee established by the Council.

5. (1) The Council may, for the purpose of performing its Committee
the of Council functions under this Act, establish committees and delegate to any such committee such of its functions as it thinks fit.

(2) The Council may appoint as members of a committee established under subsections (1), persons who are or are not members of the Council and such persons shall hold office for such period as the Council may determine.

(3) Subject to any specific or general direction of the Council any committee established under subsection (1), may regulate its own procedure.

Remuneration and allowances of members

6. The members shall be paid such remuneration and allowances as the Council may determine, with the approval of the Minister.

Disclosure of interest

7. (1) If a member is present at a meeting of the Council or any committee of the Council at which any matter is the subject of consideration and in which matter the member or member's spouse is directly or indirectly interested in a private capacity, the member shall, as soon as is practicable after the commencement of the meeting, disclose such interest and shall not unless the Council otherwise directs, take part in any consideration or discussion of, or vote on, any question touching such matter.

(2) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which it is made.

Prohibition of publication or disclosure of information to an Unauthorised person

8. (1J A person shall not, without the consent in writing given by or on behalf of the Council, publish or disclose to any unauthorised person, otherwise than in the course of his duties, the contents of any documents, communication or information whatsoever, which relates to, and which has come to his knowledge in the course of his duties under this Act.

(2) Any person who contravenes the provisions of sub-paragraph (1) shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding five thousand penalty units or to imprisonment for a term not exceeding three years, or to both.

(3) If any person having any information Which to his knowledge has been published or disclosed in contravention of sub-paragraph (1) unlawfully publishes or communicates any such information to any other person, he shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding five thousand penalty units or to imprisonment for a term not exceeding three months or to both.

PART II

FINANCIAL PROVISIONS

9. (1) The funds of the Council shall consist of such moneys as Funds of the Council may—

- (a) be appropriated by Parliament for the purposes of the Council;
- (b) be paid to the Council by way of fees, levy, grants or donations; or
- (c) vest in or accrue to the Council.

(2) The Council may—

- (a) accept moneys by way of grants or donations from any source in Zambia and, subject to the approval of the Minister, from any source outside Zambia;
- (b) raise moneys by way of loans or otherwise, from any source in Zambia and subject to the approval of the Minister, from any source outside Zambia, such moneys as it may require for the discharge of its functions, and
- (c) in accordance with the regulations made under this Act, charge and collect fees for services provided by the Council.

(3) There shall be paid from the funds of the Council—

- (a) the salaries, allowances and loans of the staff of the Council;
- (b) such reasonable travelling, transport and subsistence allowances for members of any committee of the Council when engaged in the business of the Council, at such rates as the Minister may determine; and
- (c) any other expenses incurred by the Council in the performance of its functions.

(4) The Council may invest in such manner as it thinks fit such of its funds as it does not immediately require for the performance ♦ of its functions.

(5) The Council shall constitute a Science and Technology Development Fund to—

- (a) encourage special initiatives in science or technology research development; and
- (b) Commercialise technology.

(6) The Minister, may by statutory instrument, provide for the management of the Science and Technology Development Fund.

Financial year

10. The financial year of the Council shall be the period of twelve months ending on the 31st of December, in each year.

Accounts

11. The Council shall cause to be kept proper books of account and the other records relating to its accounts.

Annual report

12. (1) As soon is practicable, but not later than six months after the expiry of each financial year, the Council shall submit to the Minister a report concerning its activities during such financial year.

(2) The report referred to in paragraph (1) shall include information on the financial affairs of the Council and the management boards for centres and institutes established under this Act and there shall be appended thereto—

- (a) an audited balance sheet;
- (b) an audited statement of income and expenditure;
- (c) an audited statement of income and expenditure of the Venture Capital Fund and Science and Technology Development Fund; and
- (d) such other information as the Minister may require.

(3) The Minister shall, not later than thirty days after the first sitting of the National Assembly next after receipt of the report referred to in sub-paragraph (1), lay it before the National Assembly: N. - ■ ■

SECOND SCHEDULE

(Section 7)

PART I

ADMINISTRATION FOR MANAGEMENT BOARDS

Seal of management board

1. (1) The seal of a management board shall be such device as may be determined by the board and be kept by the Secretary.

(2) The affixing of the seal shall be authenticated by the Chairperson or the Vice-Chairperson and the Secretary of a management board or one other person authorised in that behalf by a resolution of the board.

(3) Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal, may be entered into or executed without seal on behalf of a management board by the Secretary of a management board or any other person generally or specifically authorised by the board behalf.

(4) Any document purporting to be a document under the seal of a management board or issued on behalf of the board shall be received in evidence and shall be executed or issued, as the case may be, without further proof, unless the contrary is proved.

2. (1) Subject to the other provisions of this Act, a member of a Management board shall hold office for a period of three years from the date of appointment and may be re-appointed for a further term of three years: Tenure of office of member

Provided that the first members shall be appointed for periods ranging from two to three years in order to facilitate retirement by rotation

(2) A member of a management board may resign by giving one month's notice in writing to the Secretary of a management board and the appointing authority.

- (3) The office of a member shall become vacant—
- (a) upon his death;
 - (b) if he is absent without reasonable excuse from three consecutive meetings of the Council of which he has had notice;
 - (c) on ceasing to hold the office by virtue of which he was appointed member of a management board under section *ten*; or
 - (d) if he is declared bankrupt.

3. Whenever the office of a member of a management board becomes vacant before the expiry of the term of office, the Minister may appoint another member in place of the member who vacates the office. Filling of vacancy

4. (1) Subject to the other provisions of this Act, a management board may regulate its own procedure. Proceedings of management board

(2) A management board shall meet for the transaction of business, at least once in every three months at such places and at such times as the Chairperson of the management board may decide.

(3) Upon giving notice of not less than fourteen days, a meeting of a management board may be called by the Chairperson and shall be called if not less than one third of the members so request in writing:

Provided that if the urgency of any particular matter does not permit the giving of such notice, a special meeting may be called upon giving a shorter notice.

(4) The quorum at any meeting of a management board shall be one half of the members.

(5) There shall preside at any meeting of a management board—

(a) the Chairperson or the Vice-Chairperson; or

(b) in the absence of the Chairperson and the Vice-

Chairperson, such member as the members present may

elect from amongst themselves for purpose of that meeting.

(6) A decision of a management board on any question shall be by a majority of the members present and voting at the meeting and, in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

(7) Where a member is for any reasonable cause unable to attend any meeting of a management board, he may, in writing, nominate another person from the same organisation to attend such meeting in his stead and such person shall be deemed to be a member for the purpose of such meeting.

(8) A management board may invite any person whose presence in its opinion is desirable, to attend and to participate in the deliberations of a meeting of the management board but such person shall have no vote.

(9) The validity of any proceedings, act or decision of a management board shall not be affected by any vacancy in the membership of the board or by any defect in the appointment of any member or by reason that any person not entitled so to do, took part in the proceedings.

(10) A management board shall cause minutes to be kept of the proceedings of every meeting of the board and every meeting of any committee established by the management board.

Committees
board 5. (1) A management board may, for the purpose of performing
functions 1 under this Act, establish committees and delegate to any such
committee such of its functions as it thinks fit.

(2) A management board may appoint as members of committee establish under subsection (1), persons who are or are not members of the board and such persons shall hold office for such period as the board may determine.

(3) Subject to any specific or general direction of a management board any committee established under subsection (1), may regulate its own procedure.

6. The members shall be paid such remuneration and allowances as a management board may, with the approval of the Minister, determine.

Remuneration and allowances of members

7. (1) If a member is present at a meeting of a management board or any committee of the board at which any matter is the subject of consideration and in which matter the member or the member's spouse is directly or indirectly interested in a private capacity, the member shall, as soon as is practicable after the commencement of the meeting, disclose such interest and shall not, unless the board otherwise directs, take part in any consideration or discussion of, or vote, any question touching such matter.

Disclosure of interest

(2) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which it is made.

8. (1) A person shall not, without the consent in writing given by or on behalf of a management board, publish or disclose to any unauthorised person, otherwise than in the course of his duties, the contents of any documents, communication or information whatsoever, which relates to, and which has come to his knowledge in the course of his duties under this Act.

Prohibition of publication or disclosure of information to an unauthorised person

(2) Any person who contravenes the provisions of sub-paragraph (1) shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding five thousand penalty units or to imprisonment for a term not exceeding three years, or to both..

(3) If any person having any information which to his knowledge has been published or disclosed in contravention of sub-paragraph (1) unlawfully publishes or communicates any such information to any other person, he shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding five thousand penalty units or to imprisonment for a term not exceeding three months or to both.

PART II

FINANCIAL PROVISIONS FOR MANAGEMENT BOARDS

Funds of
management
board

9. (1) The funds of a management board shall consist of such moneys as may—

(a) be appropriated by Parliament for the purposes of the management board;

(b) be paid to the management board by way of fees, levy, grants or donations; or

(c) vest in or accrue to the management board.

(2) A management board may—

(a) accept moneys by way of grants or donations from any source in Zambia and, subject to the approval of the Minister, from any source outside Zambia;

(b) raise by way of loans or otherwise, such moneys as it may require for the discharge of its functions; and

(c) in accordance with the regulations made under this Act, charge and collect fees for services provided by the management board.

(3) There shall be paid from the funds of a management board—

(a) the salaries, allowances and loans of the staff of the board;

(b) such reasonable travelling, transport and subsistence allowances for members or members of any committee of the board when engaged in the business of the board, at such rates as the Minister may determine; and

(c) any other expenses incurred by the board in the performance of its functions. x*

(4) A management board may invest in such manner as it thinks fit such of its funds as it does not immediately require for the performance of its functions. N

Financial
year

10. The financial year of a management board shall be the period of twelve months ending on the 31st of December, in each year.

Accounts

11. A management board shall cause to be kept proper books of account and other records relating to its accounts.

Annual
report

12. (1) As soon as is practicable, but not later than six months after the expiry of each financial year, a management board shall submit to the Council a report concerning its activities during financial year.

(2) The report referred to in paragraph (1) shall include information on the financial affairs of a management board and there shall be appended thereto—

- (a) an audited balance sheet;
- (b) an audited statement of income and expenditure; and
- (c) such other information as the Council may require.