

## **CHAPTER 173**

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## CHAPTER 173

NATIONAL HERITAGE CONSERVATION COMMISSION

23 of 1989  
13 of 1994

An Act to repeal and replace the Natural and Historical Monuments and Relics Act; to establish the National Heritage Conservation Commission; to define the functions and powers of the Commission; to provide for the conservation of ancient, cultural and natural heritage, relics and other objects of aesthetic, historical, prehistorical, archaeological or scientific interest; to provide for the regulation of archaeological excavations and export of relics; and to provide for matters connected with or incidental to the foregoing.

[29th December, 1989

### PART I PRELIMINARY

1. This Act may be cited as the National Heritage Conservation Commission Act. Short title
2. In this Act, unless the context otherwise requires- Interpretation

"ancient heritage" means-

- (a) any building, ruin, or remaining portion of a building or ruin;
- (b) any pillar or statue;
- (c) any settlement, cave or natural rock shelter with traces showing that people once lived there, any house site or church-site of any kind, or remains or parts of these, any mound representing the midden of an ancient settlement, and any other site with concentrations of buildings, such as trading centres, town sites and the like, or remains of these;
- (d) any site and remains of workings and any other place of work of any kind, such as a quarry or other mining site, iron extraction site, charcoal kiln and any other trace of a craft or industry;
- (e) any trace of any kind of cultivation of land, such as a pile of stones heaped up when land was cleared, a ditch and any trace of ploughing;
- (f) any fence or dry stone wall, and any enclosure or arrangement for hunting, fishing or snaring;
- (g) any road or other track entirely unpaved or paved with stones, wood or other materials;
- (h) any dam, weir, bridge, ford, harbour-works, landing place or ancient slip-way or the remains of such;
- (i) any bar made of sunken vessels;
- (j) any landmark for use on land or on water;
- (k) any kind of defence such as a fort, entrenchment, fortress and remains of these;
- (l) any site for holding council, any cult site or any place where objects were thrown for purposes of magic, any well, spring or other place with which archaeological finds, tradition, belief, legends or customs are associated;
- (m) any stone or solid rock with inscriptions or pictures such as rock carvings, rock paintings, cup marks, ground grooves or any other rock art;
- (n) any monolith, cross or other such heritage;
- (o) any stone setting, stone paving or the like;
- (p) any burial place of any kind, individually or in collected sites, such as a burial mound, burial cairn, burial chamber, cremation patch, urn burial and coffin burial;
- (q) any place or thing which is designed by the Commission as an ancient heritage;

which is known or believed to have been erected, constructed or used as the case may be, before 1st January, 1924, whether above ground, underground or underwater.

"badge" means the emblem or seal of the Commission;

"Commission" means the National Heritage Conservation Commission established under section *three*;

"committee" means a committee constituted by the Commission under section *twelve*;

"conservation" means the professional care of any heritage so that it shall continue to play a useful role for present and future generations;

"cultural heritage" means-

- (a) any area of land which is of archaeological, traditional or historical interest or contains objects of such interest;
- (b) any old building or group of buildings of historical or architectural interest;
- (c) any relic, national monument or ancient heritage;
- (d) any other object constructed by man, other than a relic, of aesthetic, archaeological, historical or scientific value or interest;

"Director" means the Director of the Commission appointed under section *fifteen*;

"Deputy Director" means the Deputy Director of the Commission appointed under section *sixteen*;

"excavation" includes any process of digging or unearthing or any act involved in such process and "excavate" shall be construed accordingly;

"heritage" includes-

- (a) any ancient heritage;
- (b) any cultural heritage;
- (c) any natural heritage;

- (d) any national monument;
- (e) any relic;

"Honorary Commissioner" means a person designated to be an Honorary Commissioner under section *nineteen*;

"member" means a member of the National Heritage Conservation Commission appointed under section *five*;

"national monument" means a heritage declared to be a national monument under section *twenty-seven* and includes any property provisionally so declared for a period of five years from the date of the provisional declaration;

"natural heritage" means-

- (a) any area of land which has distinctive beautiful scenery or has a distinctive geological formation; and includes any palaeontological area;
- (b) any area of land containing rare distinctive or beautiful flora or fauna;
- (c) any waterfall, cave, grotto, old tree or avenue of trees;
- (d) any other natural object with aesthetic, or scientific value or interest;
- (e) any natural relic and national monument;

"plaque" means a sign erected by the Commission which indicates that an object is an ancient heritage, relic or has been declared as a national monument;

"Registrar" has the same meaning assigned to it in the Lands and Deeds Cap. 185 Registry Act;

"relic" means-

- (a) a fossil of any kind;
- (b) any drawing, painting, petroglyph or carving on stone commonly believed to have been executed in Zambia before 1st January, 1924;
- (c) any object of historical, scientific, anthropological, archaeological, aesthetic or cultural value made or used in

- Zambia before 1st January, 1924;
- (d) any object of ethnological interest;
  - (e) any ethnographical material associated with traditional beliefs such as witchcraft, sorcery, exorcism, rituals or other rites;
  - (f) any object associated with a person or an event prominent in Zambian history;
  - (g) any product of archaeological excavation (whether regular or clandestine) or of archaeological discoveries;
  - (h) any anthropological, historical or archaeological contents of any ancient heritage; or
  - (i) any other object of historical, scientific, anthropological, archaeological, aesthetic or cultural value declared a relic by the Minister under section *thirty-two*.

## **PART II**

### **NATIONAL HERITAGE CONSERVATION COMMISSION**

**3.** (1) The Commission for the Preservation of Natural and Historical Establishment of Monuments and Relics as established under the Natural and Historical Commission Monuments and Relics Act is hereby continued as if established under this Act but shall henceforth be known as the National Heritage Conservation Commission.

(2) The Commission shall be a body corporate with perpetual succession and a common seal, capable of suing and being sued in its corporate name, and with power, subject to the provisions of this Act, to do all such acts and things as a body corporate may lawfully do or perform.

**4.** (1) The seal of the Commission shall be such device as may be determined by the Commission and shall be kept by the Director. Seal of Commission

(2) The Commission may use a wafer or rubber stamp in lieu of the seal.

(3) The affixing of the seal shall be authenticated by the signatures of the Chairman or the Vice-Chairman together with the Director or

Deputy Director.

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

(5) Any document purporting to be a document under the seal of the Commission or issued on behalf of the Commission shall be received in evidence without further proof.

5. (1) The Commission shall consist of the following members: Composition of  
Commission

(a) a Chairman;

(b) the Permanent Secretary in the Ministry responsible for heritage who shall be an ex-officio member; and

(c) not less than seven but not more than ten other members who shall be persons with experience in matters related to the functions of the Commission.

(2) The Chairman and the other members, other than the ex-officio member, shall be appointed by the Minister.

(3) There shall be a Vice-Chairman elected by the Commission from amongst its members.

(4) Where the ex-officio member is for any reasonable cause unable to attend any meeting of the Commission, he may, nominate in writing another senior official from his Ministry to attend that meeting in his stead and the person so nominated shall be deemed to be a member for the purpose of that meeting.

6. (1) A member appointed under paragraph (a) or (c) of subsection (1) of section *five* shall hold office for a period of three years from the Tenure of office  
and vacancy



date of the appointment and may be re-appointed upon the expiration of that term.

(2) A member referred to in subsection (1) may resign upon giving one month's notice in writing to the Minister and may be removed by the Minister upon giving like notice.

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

- (a) if he is declared to be of unsound mind;
- (b) if he is adjudged bankrupt;
- (c) if he is lawfully detained, or the member's freedom of movement is restricted under any law in force in Zambia for a period in excess of six months;
- (d) if he is sentenced to a term of imprisonment for a period in excess of six months;
- (e) upon the expiration of not less than one month's notice given in writing by the member to the Minister of the member's intention to resign from the Commission;
- (f) if he is absent, without leave, from three consecutive meetings of the Commission, of which the member has had notice; or
- (g) upon the expiration of not less than one month's notice given in writing by the Minister to the member terminating the member's appointment.

7. A member shall be paid such remuneration or allowance as the Minister may determine.

Remuneration  
and Allowances

8. (1) The functions of the Commission shall be to conserve the historical, natural and cultural heritage of Zambia by preservation, restoration, rehabilitation, reconstruction, adaptive use, good management, or any other means.

Functions of  
Commission

(2) Without prejudice to the generality of subsection (1) the Commission shall-

- (a) co-ordinate all activities connected with any heritage;
- (b) carry out studies and surveys in order to identify areas which may be declared protected areas;
- (c) prepare regional or national plans for conservation of heritage in protected areas;
- (d) keep a register or site index of all national monuments ancient heritage, which it has acquired or which have been brought to its notice;
- (e) investigate and report any matter relating to any heritage;
- (f) preserve, repair, or restore any heritage.

(3) In the performance of its functions under this Act the Commission may-

- (a) affix to any monument a plaque;
- (b) erect signs, notices and memorial tablets giving information in the official language, of events of interest relating to any heritage;
- (c) purchase or otherwise acquire any heritage;
- (d) make a list of all heritage whose declaration as a national monument is considered desirable;
- (e) take steps to ascertain the owner of any heritage;
- (f) assume control over any heritage if requested to do so by the person having the ownership or control of it;
- (g) give notice to any owner of a heritage requiring him to take

reasonable steps to maintain it;

- (h) lend or give, subject to the provisions of this Act, any relic to any museum or other public institution;
- (i) undertake the excavation of any ancient heritage and, by writing under the hand of the Director, authorise any act to be done which it may consider necessary for the excavation, exploration or safe preservation of any ancient heritage or relic wherever situated or found by whosoever owned or controlled;
- (j) enter upon and inspect any heritage, monument, museum or archaeological excavation, or any land where excavation or similar operations are being carried out for archaeological purposes;
- (k) carry out excavations or surveys in any area for the purposes of discovering any ancient heritage;
- (l) subject to the rights of any owner or occupier of property, do such things as may be necessary to facilitate the access of the public to any heritage or monument which is the property of the Commission or which, by agreement with the owner, is under its control;
- (m) take such steps as may be necessary to provide or ensure the provision of access roads, shelters, site museums, information centres and campsites within any area or place which is an ancient heritage or has been proclaimed to be a national monument;
- (n) endeavour to ensure that land adjacent to, or in the immediate vicinity of, any national monument or ancient heritage is not developed in such a manner as to obstruct the view of that heritage; and
- (o) generally do all such acts as are necessary or appropriate for the carrying out of the purposes of this Act.

**9.** The Commission may, by directions in writing and subject to such terms and conditions as it thinks fit, delegate to the Director, Deputy Director, or any member, any of its functions under this Act.

Delegation of  
functions

**10.** The Minister may give to the Commission such general or specific directions with respect to the discharge of its functions as he may consider necessary and the Commission shall give effect to such directions.

Ministerial  
directions

**11.** (1) Subject to the other provisions of this Act, the Commission may regulate its own procedure.

Proceedings of  
Commission

(2) The Commission shall meet for the transaction of business at least twice every twelve months at such places and at such times as the Chairman may decide.

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

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

(4) Five members shall form a quorum at any meeting of the Commission.

(5) There shall preside at any meeting of the Commission-

(a) the Chairman; or

(b) in the absence of the Chairman, the Vice-Chairman; or

(c) in the absence of the Chairman and the Vice-Chairman, such member as the members present may elect for the purpose of that meeting.

(6) A decision of the Commission 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) The Commission may invite any person, whose presence is in its opinion desirable, to attend and to participate in the deliberations of a meeting of the Commission but that person shall have no vote.

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

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

**12.** (1) The Commission, for the purpose of performing its functions under this Act, may constitute committees and delegate to any committee such of its functions as it thinks fit. Committees of Commission

(2) The Commission may appoint as members of a committee constituted under subsection (1), persons who are or are not members of the Commission and those persons shall hold office on such terms and conditions as the Commission may determine.

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

**13.** (1) If a person is present at a meeting of the Commission or any committee of the Commission at which any matter is the subject of consideration and which matter the person or his spouse is directly or indirectly interested in a private capacity, he shall, disclose his interest as soon as practicable after the commencement of the meeting, and unless the Commission or committee otherwise directs shall not take part in any consideration or discussion of, or vote on, any question touching that 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.

14. No action or other proceedings shall lie or be instituted against Immunity of any member or member of any committee for or in respect of any act or members thing done or omitted to be done in good faith in the exercise or purported exercise of his functions under this Act.

### **PART III ADMINISTRATION**

15. The Commission, with the approval of the Minister, shall Director appoint a Director who shall be the chief executive officer of the Commission and who shall be responsible for the administration of this Act subject to the control of the Commission.

16. The Commission, may on such terms and conditions as it may Deputy Director determine, appoint a Deputy Director to assist the Director.

17. (1) The Director, or in his absence the Deputy Director, shall Attendance at attend meetings of the Commission and may address those meetings, meetings of the but shall not vote on any matter. Commission

(2) The person presiding at any meeting of the Commission may require the Director or Deputy Director, as the case may be, to withdraw from a meeting.

(3) Section *thirteen* shall apply, with the necessary changes, to the Director and the Deputy Director.

18. (1) There shall be a Secretary to the Commission who may be Staff of the Director. Commission

(2) If the Secretary is not the Director, the Commission shall appoint a Secretary to the Commission on such terms and conditions as it may determine.

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

19. (1) The Commission may designate any person to be an Honorary Commissioner on such terms and conditions as the Commission may determine and may revoke such a designation at any time.

Honorary  
Commissioners

(2) An Honorary Commissioner, when authorised by the Commission, either generally or specifically, may exercise or perform all or any of the powers or duties of an employee of the Commission.

(3) An Honorary Commissioner may be invited to any meeting of the Commission.

20. (1) No person without the consent in writing given by or on behalf of the Commission, shall publish or disclose to any person, otherwise than in the course of his duties, the contents of any document, 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  
unauthorised  
persons

(2) Any person who knowingly contravenes the provisions of subsection (1) shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding one thousand two hundred and fifty penalty units or to imprisonment for a term not exceeding three years, or to both.

(3) If any person having information which to his knowledge has been published or disclosed in contravention of subsection (1) unlawfully publishes or communicates that information to any other person, he shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding one thousand two hundred and fifty penalty units or to imprisonment for a term not exceeding three years, or to both.

*(As amended by Act No. 13 of 1994)*

## **PART IV**

### **FINANCIAL PROVISIONS**

21. (1) The funds of the Commission shall consist of such moneys as may-

Funds of  
Commission

- (a) be appropriated by Parliament for the purposes of the Commission;
  - (b) be paid to the Commission by way of grants or donations; and
  - (c) vest in or accrue to the Commission.
- (2) The Commission 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) subject to the approval of the Minister raise by way of loans or otherwise such moneys as it may require for the discharge of its functions; and
  - (c) charge and collect fees in respect of programmes, seminars, consultancy services, and other services provided by the Commission.
- (3) There shall be paid from the funds of the Commission-
- (a) the salaries and allowances of, and loans to, the staff of the Commission;
  - (b) such reasonable travelling, transport subsistence allowances for members or members of any committee of the Commission when engaged in the business of the Commission at such rates as the Minister may determine; and
  - (c) Any other expenses incurred by the Commission in the performance of its functions.
- (4) The Commission may invest in any manner it thinks fit any of its funds which it does not immediately require for the performance of its functions.



**22.** The financial year of the Commission shall be the period of twelve months ending on the 31st December in each year. Financial year

**23.** The Commission shall cause to be kept proper books of account and other records relating to its accounts. Accounts

**24.** As soon as practicable, but not later than six months after the expiry of each financial year, the Commission shall submit to the Minister a report concerning its activities during that financial year. Annual report

**25.** The report shall include information on the financial affairs of the Commission and there shall be appended thereto- Contents of report

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

**26.** The Minister shall, not later than seven days after the first sitting of the National Assembly next after the receipt of the report referred to in subsection (1), lay it before the National Assembly. Tabling report

## **PART V**

### **CONSERVATION OF HERITAGE**

**27.** (1) Upon the recommendation of the Commission, and if the Minister considers it to be in the national interest that any heritage be conserved, protected or maintained he may, by statutory notice, subject to subsection (2) declare or provisionally declare the heritage or relic to be a national monument. Declaration of national monuments

(2) The Minister shall not make any declaration under subsection (1) in respect of any heritage or relic belonging to a person, other than the Commission, without the consent of that person unless the Minister is satisfied that-

- (a) the Commission at least one month before making the

recommendation had served upon the owner of, and any person in possession of, the heritage, or relic by post or by delivering personally, a notice in writing advising him of the proposed recommendation and his right to lodge objections with the Commission within one month of the date of service of the notice;

- (b) the Commission has submitted to him all objections lodged with it by the owner and the person in possession of that heritage or relic.

**28.** (1) Whenever under this Act any heritage or relic-

Entry on land for purposes of surveying

- (a) has been declared or provisionally declared to be a national monument;
- (b) has been recommended to be declared a national monument or to be part of a national monument; or
- (c) is being investigated as to the desirability of it being declared or forming a part of a national monument;  
the Commission or any person authorised by it in writing, either generally or for any particular purpose, may, for the purpose of surveying, creating markers, drawing up a diagram of that area of land-
  - (i) enter at all reasonable hours upon any land with such persons, vehicles, appliances, instruments and materials as are necessary for such survey;
  - (ii) break up the surface of any part of such land to facilitate the removal of any heritage or relic;
  - (iii) take and carry away any heritage or relic found thereon;
  - (iv) fix any post, stone mark or object to be used in the survey of any such land;
  - (v) dig up any ground for the purpose of fixing any such post,

stone, mark or object; and

(vi) enter into or upon any land through which it may be necessary to pass for the purpose of surveying, creating markers or drawing up diagrams.

(2) When exercising the powers conferred under subsection (1) it shall not be lawful to fix any object, post, stone or mark within any walled or fenced garden or orchard without the consent of the owners or occupiers thereof.

(3) Notice in writing of the intention to exercise any of the powers conferred by this section shall be given in the *Gazette* and in a newspaper circulating in the area where the land is situated at least fourteen days before the exercise of the powers unless such land is unalienated state land.

(4) As little damage and inconvenience as possible shall be caused by the exercise of any of the powers conferred by this section.

(5) Before abandoning any land all excavations opened shall be filled back.

(6) The Commission or any other person authorised by it shall not be liable for anything done, in good faith in the performance of any function under this section.

**29.** Whenever any land upon or under which a heritage is situated has been declared or provisionally declared to be, or to form part of, a national monument the Commission shall furnish the Registrar with a copy of the statutory notice made under section *twenty-seven* together with the particulars of the survey undertaken and a diagram of the area of land. Registrar to be notified

**30.** (1) The Registrar shall note in any manner he thinks fit in any record maintained by the Registrar and upon any Certificate of Title or Provisional Certificate of Title particulars of any declaration made in a statutory notice that has been lodged in his office which affects the land referred to or comprised in the record maintained by the Registrar, in Endorsement on title

any Certificate of Title or Provisional Certificate of Title.

(2) Where a statutory notice made under section *twenty-seven* is revoked or amended the Commission shall lodge with the Registrar a copy of the statutory notice and the Registrar shall note the particulars contained in the notice on any relevant record maintained by the Registrar, or on any Certificate of Title or Provisional Certificate of Title.

**31.** (1) The Commission, except with the written approval of the Minister, shall not sublet, mortgage, charge, sell, transfer, assign or in any manner whatsoever encumber, or part with the possession of, any national monument or relic. Restriction on alienating, mortgaging subdividing etc.

(2) Any person who owns any land that is the subject of any statutory notice made under section *twenty-seven* and who wishes to subdivide, sell, transfer, assign, sublet, mortgage, charge or in any manner whatsoever encumber, or part with the possession of, that land, shall forthwith inform the Commission of the name and address of the person in whose favour the transaction is intended to be made.

**32.** If the Commission considers an object to be of historical, scientific, anthropological, aesthetic or cultural value the Minister, on the recommendation of the Commission may, by statutory notice, declare the object to be a relic notwithstanding that the object may not have been made or used in Zambia before 1st January, 1924. Object to be declared a relic

**33.** Subject to section *forty-one*, no person shall, without the written consent of the Commission- No alteration, removal etc. without consent of Commission

(a) alter, remove, destroy, damage, excavate or export as the case may be, from Zambia, any ancient heritage or relic or part of it; or

(b) disfigure, destroy, remove, alter or damage any national monument, memorial tablet, plaque, seal or sign erected or affixed by the Commission.

**34.** (1) Any person who desires to export from Zambia any ancient heritage or relic or any part thereof shall apply to the Commission for an export permit. Export of heritage

(2) The applicant shall-

- (a) supply the Commission with a drawing showing the site where the item is located and shall state the exact locality in which it is situated and the place to which he desires to export it; and
- (b) define the type of object, its age, size and what material it is made of.

**35.** (1) Any person who intends to destroy, demolish, alter or remove from its original site any national monument, relic or ancient heritage shall apply to the Commission for permission. Destruction of heritage

(2) The applicant shall-

- (a) state the nature and extent of the intended alteration, removal, destruction or demolition and the locality of the area;
- (b) supply diagrams or sketch plans and any other relevant information; and
- (c) define the type of object, its age, where possible, size and what material it is made of.

**36.** Section *thirty-five* shall not apply in respect of the alteration or demolition of a property which is immediately necessary- Actions to protect safety and avoid risk

- (a) in the interests of the safety of persons in or about the property; or
- (b) to avoid any reasonable risk of substantial damage being caused by the property to any other property in its vicinity.

**37.** (1) Any person who desires to excavate any ancient heritage or collect relics shall apply to the Commission for a permit to excavate or collect. Permits for collection or excavation

(2) The applicant shall give details of-

- (a) the project;
- (b) the exact location of the area;
- (c) the problems, scope and objectives of the investigation or collection; and
- (d) any other relevant information.

**38.** A permit issued under section *thirty-seven* shall be subject to the following conditions: Conditions of permit

- (a) the holder shall within the time specified in the permit, furnish to the Commission a progress report on the work done in such detail as the Commission may require;
- (b) the holder of a permit, after completion of the excavation, shall restore the site to its normal condition in so far as it is reasonable to do so unless the Commission otherwise authorises;
- (c) the holder shall deliver to the Commission possession of all relics or other objects recovered while excavating pursuant to the permit; and
- (d) any other conditions the Commission may prescribe according to the circumstances.

**39.** A permit issued under section *thirty-seven* authorises the holder to do some or all of those acts specified in the application, at such time or within such period and subject to such terms, conditions, restrictions or directions as may be specified by the Commission. Acts authorised by permit

**40.** (1) No person shall excavate, collect or export, as the case may be, any ancient heritage, any relic or part thereof, or alter, destroy, damage or remove from its original site any ancient heritage, national monument or relic contrary to sections *thirty-three* to *thirty-nine*. Offence and penalty

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding two thousand five hundred penalty units, or to imprisonment for a term not exceeding four years, or to both.

(3) The Court in addition to any fine or imprisonment may order that person-

(a) to pay to the Commission such sum as the court may determine for the repair of any damage caused to, or for the value of, anything specified in subsection (1); or

(b) in the case of any thing specified in subsection (1) which has been removed and which is still in the possession of that person, to restore such thing to the Commission.

*(As amended by Act No. 13 of 1994)*

**41.** Nothing in sections *thirty-three* to *thirty-seven*, inclusive, shall be construed as prohibiting any person in the normal course of mining, engineering or agricultural operations from doing any act which would otherwise be an offence under those sections if that person- Normal mining, engineering and agricultural operations not prohibited

(a) was the owner of land acquired or held under customary law; or

(b) was the holder of a valid mining licence or certificate of title;

and the ancient heritage or relic affected had not been known or the heritage had not been declared to be a national monument before the performance of that act.

**42.** Any person, who discovers what appears to be an ancient heritage or relic shall- Discovery of ancient heritage or relic

(a) report his discovery to the Commission within fourteen days;

(b) suspend his operations in the immediate vicinity of his discovery until thirty days after the delivery of his report, unless

- the Commission authorises their continuance; and
- (c) deliver to the Commission as soon as practicable, or request the Commission to examine and remove, any object which is, or appears to be, a relic.
- 43.** Upon receipt of a report under section *forty-two* the Commission may-
- (a) examine and remove any relic;
- (b) allow the person to continue his activities;
- (c) order suspension of the operations not in excess of thirty days to carry out an environmental impact assessment or archaeological survey or recovery analysis of the discovery areas; or
- (d) order the engineering, mining or agricultural project to pay for the costs of the assessment, survey, or analysis.
- 44.** If the Commission does not exercise any of its powers under section *forty-three* the person may resume his operations thirty days after delivery of his report.
- 45.** Any relic whose ownership cannot be reasonably determined shall be deemed to belong to the Commission.
- 46.** Where a relic is not owned by any person and the Commission removes the relic from land, the compensation to be paid to the person occupying the land shall only be for the temporary loss of use of the land or any damage caused during the time required by the Commission to remove the relic.
- 47.** (1) Where a relic is owned by a person, the Commission shall have a right or option to acquire the ownership of the relic so discovered upon payment to the owner of a sum of money to be agreed upon as fair and reasonable compensation, or, failing agreement, by reference to two arbitrators in accordance with the Arbitration Act.
- (2) If within six months after receipt of the first notice of any discovery in terms of section *forty-two* the Commission has failed to notify the owner of such ancient heritage or relic that it intends to exercise its option, such option shall be deemed to have lapsed.

Powers of Commission when discovery reported

Resumption of operations

Ownership of relics

Compensation for removal of relic

Acquisition of relic  
Cap. 40



**48.** Where any heritage is located on land held by any person, the Commission may negotiate with the holder of the land to- Negotiations for heritage sites

- (a) arrange for preservation, restoration, rehabilitation and reconstruction of the heritage;
- (b) arrange times, terms, and conditions for admission of the public to the site;
- (c) arrange for supervision, maintenance and protection of the site;
- (d) arrange for a lease of the site, access to it, and the terms and conditions of any right of entry;
- (e) acquire the land or any part of it on such terms and conditions as the parties may agree upon; or
- (f) arrange any other matter connected with the conservation, use and enjoyment of the heritage.

**49.** (1) The Minister, upon the recommendation of the Commission, Regulations may by statutory instrument make regulations-

- (a) regulating the access of the public to any heritage which is the property of the Commission or which by agreement with the owner is under its control;
- (b) fixing fees payable to the Commission for admission to any heritage;
- (c) safe guarding any heritage, national monument, tablet, or relic from disfigurement, alteration, destruction, unauthorised export or removal;
- (d) regulating the excavation of any ancient heritage and the removal export or collection of any relic;
- (e) regulating the conditions of use by any person of any area of land which has been declared to be a national monument and which is under the control of the Commission;
- (f) regulating the conditions for the erection of any building or structure on any area of land declared to be a national monument; or

(g) prohibiting or regulating any specified acts in or in respect of any heritage.

(2) Any regulation may prescribe fines not exceeding two thousand five hundred penalty units for any contravention of, or non-compliance with the regulations.

*(As amended by Act No. 13 of 1994)*

**50.** Any Government Notices, Declarations by the Minister, or Statutory Instruments which declares any heritage to be a national monument under the Natural and Historical Monuments and Relics Act shall continue in full force and effect, as though made pursuant to section *twenty-seven* of this Act. National Monuments Continued Cap. 266 of 1947

**51.** The Natural and Historical Monuments and Relics Act is hereby repealed. Repeal of Cap. 266 of the 1971 Edition

## **SUBSIDIARY LEGISLATION**

NATIONAL HERITAGE AND CONSERVATION COMMISSION CAP. 173

### **SECTION 27-NATIONAL MONUMENTS**

Declarations by the Minister

**ROCK ENGRAVINGS, AYRSHIRE FARM, LUSAKA** *Government Notice 254 of 1950*

All engraved rocks lying within a 0.8045 kilometres radius of the homestead on Farm No. 766, known as Ayrshire Farm, in the Lusaka District.

The above described area, in extent 202.35 hectares approximately, is shown coloured green upon a plan deposited in the office of the Commission, signed by the Director of Surveys and dated the 15th August, 1950.

## **MARAMBA QUARRY SITE**

***Government  
Notice  
236 of 1952***

At the former quarry situated approximately 0.5363 kilometres north-west of the Livingstone Municipal boundary beacon CL142, 21.9456 metres from and to the right of the Great North Road near the north-west corner of Maramba Farm No. 22a, nearly 0.8045 kilometres from the right bank of the Maramba River a fenced area approximately 0.20235 hectares in extent forming part of the first stratified site of the Middle Pleistocene Hope Fountain Culture in Southern Africa.

The above described site is shown upon a plan deposited in the office of the Commission, signed by the Director of Surveys and Land and dated the 19th September, 1952.

## **SUTHERLAND'S FARM SITE**

***Government  
Notice  
236 of 1952***

On Maramba Farm No. 22a approximately 152.4 metres from the left bank of the Maramba River and 304.8 metres east of the Livingstone Municipal boundary beacon CL143 a fenced area approximately 0.8094 hectares in extent including two former terraces of the Maramba River, the lower of which contains a home and workshop site of the Great Handaxe Culture.

The above described site is shown upon a plan deposited in the office of the Commission, signed by the Director of Surveys and Land and dated the 19th September, 1952.

## **TWIN RIVERS KOPJE**

***Government  
Notice  
344 of 1953***

A circular area of land with a radius of 182.88 metres having as its centre the highest point of a hill situated approximately 335.28 metres south-west of Beacon Ii, the northernmost corner beacon of Farm No. 209a "Twin Rivers" and situated on the Farms No. 766 "Ayrshire" and No. 209a "Twin Rivers".

The above described site, in extent 10.5222 hectares approximately, is shown upon a plan signed by the Director of Surveys and Land and dated the 19th October, 1953, and deposited in the office of the Commission.

### **HIPPO POOL, CHINGOLA**

*Government  
Notices  
222 of 1954  
10 of 1955*

Starting at Beacon Y757 on the southern boundary of Kirila Bomwe C Special Grant, the boundary follows that of Kirila Bomwe C Special Grant in an easterly direction to Beacon M333, and proceeds along this same line produced for a distance of 4267.2 metres approximately to meet the Chifawaolo Stream; thence down the Chifawaolo Stream to its confluence with the Kafue River; thence along the northern bank of the Kaufe River downstream for 1219.2 metres approximately to its intersection with a line RU197-RU198 produced; thence in a westerly direction in a straight line to RU198, the north-east corner beacon of Farm No. 1424 Kakosa East; thence along the northern boundary of this same farm to Beacon RU197; thence in a westerly direction along the northern boundary of Farm No. 927 Kakosa to Beacon Y758; thence in a northerly direction to Beacon Y757, the point of starting.

The above area, in extent 0.550392 hectares approximately, is shown bordered green on Plan No. F.R. 27 deposited in the office of the Surveyor-General and dated the 10th July, 1946.

### **SLAVE TREE: NDOLA**

*Government  
Notice  
229 of 1954*

This large fig tree stands at the centre of the intersection of Moffat Avenue and Livingstone Road, Ndola, and is by tradition the tree under which slaves were bought and sold by Swahili slave traders.

The above-mentioned tree is shown upon a plan signed by the Director of Surveys and Land and dated the 11th June, 1954, and deposited in the office of the National Heritage Conservation Commission.

### **THE BIG TREE: KABWE**

*Government  
Notice  
249 of 1955*

This large fig tree stands on the east side of Broadway approximately 90.8304 metres from Pauling Street and approximately 69.4944 metres from Coryndon Street and served as a meeting place on many occasions during the early years of the township's history. It was the starting point for mule-trains taking supplies north from the rail-head when this was at Kabwe. It was also the starting point from which the Northern Rhodesia volunteers set out in 1914 on their way to the East African campaign.

The above-mentioned tree is shown upon a plan signed by the Director of Surveys and Land and dated the 28th June, 1955, and deposited in the office of the National Heritage Conservation Commission.

#### NIAMKOLO CHURCH: MPULUNGU

*Government  
Notice  
130 of 1956*

Starting at a point A, 62.484 metres north-east of the Niamkolo Church Tower, the boundary follows due south in a straight line for a distance of 91.44 metres to a point B; thence due west in a straight line for a distance of 91.44 metres to a point C; thence due north in a straight line for a distance of 91.44 metres to a point D; thence due east for a distance of 91.44 metres to point A, the point of starting.

The above described area, approximately 0.8094 hectares in extent, is situated approximately 1.609 kilometres from the jetty at Mpulungu Port on a true bearing of 60 degrees, and is shown upon a plan deposited in the office of the Surveyor-General, dated the 17th May, 1955, and numbered K.1.

Niamkolo Church is believed to be the earliest stone-built church in Zambia. Its construction was started by the London Missionary Society in 1895 and the church was completed in 1896. It was situated approximately 1.609 kilometres from the port of Mpulungu on Lake Tanganyika. It was used continuously until 1908, when, because of sleeping sickness, the population of the area was moved back 16.09 kilometres from the lake shore. The walls and tower of the church are still standing and have for many years formed a prominent landmark for boats using the port of Mpulungu.

#### ADMINISTRATOR'S HOUSE: KALOMO

*Government  
Notice*

The house is situated on State Land sometimes referred to as "Kalomo Boma Farm" in a position approximately 2042.16 metres east-north-east of Beacon E127 and 1219.2 metres north-west of Beacon M1, the latter beacons defining a portion of the northern boundary of Farm No. 620 in the Kalomo District, Southern Province.

The site is circled in red on a plan deposited with the National Heritage Conservation Commission, signed by the Director of Surveys and Land and dated the 21st January, 1957.

This house, built in 1903-4, was the residence of the Administrator of North-Western Rhodesia until the capital was transferred to Livingstone at the end of 1907. It is believed to be the first brick-built Government house in North-Western Rhodesia and remains little altered from the time when it was occupied by Administrator Robert Coryndon. Structurally sound, it is now the residence of the District Secretary, Kalomo.

### **KALOMO MOUND**

***Government  
Notice  
101 of 1959***

A rectangle astride Inter-territorial Road No. 1 measuring approximately 137.16 metres east to west by approximately 82.296 metres north to south and having its longer axis approximately parallel to the road. The north-east corner of the area is approximately 36.576 metres south-south-east of mile peg 1047<sup>1</sup>/<sub>2</sub> on the Zambia Railway Reserve. The rectangle contains a mound composed of about 2.7432 metres of occupation material at the highest point.

The above described area, 1.25457 hectares in extent, is shown marked red on Plan No. 3590 signed by the Surveyor-General on the 8th January, 1958, and deposited in the office of the National Heritage Conservation Commission, Livingstone.

### **COLLIER MONUMENT: ROAN ANTELOPE COPPER MINE**

***Government  
Notice  
86 of 1960***

A circular area of 0.016 acres in extent at approximately latitude 13 degrees 07 minutes south and longitude 28 degrees 23 minutes east, in

the Luanshya District, approximately 125 yards north-north-east of the junction of the Fisansa Stream and the Luanshya River, and on the south-east side of the T-junction of the main road from the Roan Antelope Mine Concentrator to Storke Shaft and a road from the Mine Township.

The above described area is shown marked on a plan signed by the Surveyor-General on the 26th January, 1960, and deposited in the office of the National Heritage Conservation Commission, Livingstone.

This monument to commemorate the original copper claim by W. C. Collier in 1902 is erected close to the original claim site and is on land owned by the Mine.

### **MOIR AND BELL MONUMENT: MUFULIRA COPPER MINES**

***Government  
Notice  
315 of 1960***

This monument has been erected opposite the place where the prospectors, J. Moir and G. Bell, discovered copper-bearing ore at Mufulira in 1923.

The monument is erected on a circular plot of land, 47.5488 metres in diameter, lying 40.2336 metres due south of the bridge on the Mufulira West North Road and 7.62 metres due west of the Mufulira Stream. The centre of the monument is located on Farm No. 931 in the Mufulira Copper Mine area at a distance of 314.7578 metres in a direction of 12 degrees 54 minutes 40 seconds from Beacon W395, which is situated on the southern boundary of Farm No. 931.

The above described area is shown green upon a plan No. 408/181 dated the 26th September, 1960, and signed by the Surveyor-General on the 12th October, 1960. This plan is deposited in the office of the National Heritage Conservation Commission, Livingstone.

### **ARCHAEOLOGICAL SITES IN THE VICTORIA FALLS TRUST AREA**

***Government  
Notice  
372 of 1961***

1. *Older Gravels* laid down intermittently over an area of approximately 2.4135 kilometres by 0.8045 kilometres on the north side of the Livingstone-Katombora Road, some 5.6315 kilometres from Livingstone, the area running parallel to the road for 2.4135 kilometres. This area includes site Z.Y.40 described in Clark's monograph "The

Stone Age Cultures of Northern Rhodesia" (1950).

2. *Younger Gravels* over two areas of 0.40225 kilometres by 0.201125 kilometres on the west side of the Livingstone-Victoria Falls Road (1961), 2.4135 kilometres upstream of the Falls, as shown on Plan No. 3956 (1).
3. *Younger Gravels*, 0.40225 kilometres in area, situated immediately downstream of the Power Station buildings on top of the gorge, about 0.8045 kilometres downstream of the Victoria Falls.
4. *Younger Gravels* occurring in a strip approximately 182.88 metres wide extending downstream for 0.40225 kilometres, the strip commencing 1.20675 kilometres downstream of area (3).
5. *Younger Gravels*, 0.40225 kilometres in area, situated at the Viewpoint on the cliff promontory overlooking the confluence of the Songwe and Zambezi Rivers. This includes Clark's site Z.Y.40.
6. *The archaeological deposits* occurring on top of and below an area, 60.96 metres by 121.92 metres, at present occupied by the Eastern Cataract Field Museum and the car park alongside it. The Stone Age sequence at this locality extends from Early Stone Age to Later Stone Age.

The above-mentioned areas are shown marked red on six plans (Nos. 3955 and 3956 (1-5)) signed by the Surveyor-General on the 18th November, 1961, and deposited in the office of the National Heritage Conservation Commission, Livingstone.

These six sites, which cover all periods of the Stone Age from the Early to Later Stone Age, are the key sites for determining the Stone Age cultural sequence in the Upper Zambezi Valley.

## **DAVID LIVINGSTONE MEMORIAL: CHITAMBO**

***Government  
Notice  
16 of 1962***

Farm No. 613, an area of 2.500 square kilometres situate in the centre of Farm No. 612 in the Serenje District and bounded by Survey Beacons C52, C54 and C55, and having at its centre the memorial erected to David Livingstone situated at 12 degrees 20 minutes south, 30 degrees 20 minutes east.



The above-mentioned area, in extent 259.008 hectares approximately, is shown on a plan, signed by the Director of Surveys and dated the 24th February, 1949, deposited in the office of the National Heritage Conservation Commission, Livingstone.

This monument commemorates David Livingstone's death at Chitambo on the 4th May, 1873.

### **CHIPOMA FALLS**

***Government  
Notice  
255 of 1964***

A rectangular area of land 1.609 kilometres long by 0.40225 kilometres wide on each side of the Chimanabuwi River having as its centre a point halfway down the series of falls, and situated 24.135 kilometres south-south-west of Chinsali Boma in Trust Land in Chief Nkula's area of the Chinsali District, at approximately 10 degrees 46 minutes south, longitude 32 degrees 01 minutes east.

The above described area, in extent 129.504 hectares approximately, is shown upon a plan signed by the Surveyor-General and dated the 29th December, 1958, and deposited in the office of the National Heritage Conservation Commission.

### **CHIRUNDU FOSSIL FOREST**

***Government  
Notice  
255 of 1964***

A rectangular area of land situated 18.5035 kilometres west of the Chirundu Bridge and immediately south of the Salisbury-Lusaka road, having a road frontage of 182.88 metres and a depth of 68.58 metres and containing a number of fossilised tree trunks of Karoo age. The area is situated in customary Land in Chief Sigongo's area of the Gwembe District, at approximately latitude 16 degrees 02 minutes south, longitude 28 degrees 40 minutes east.

The above described area, in extent 1.341 hectares approximately, is shown upon a plan signed by the Surveyor-General and dated the 8th February, 1954, and deposited in the office of the National Heritage Conservation Commission.

### **BELL POINT: LUNSEMFA GORGE**

***Government  
Notice***

## **255 of 1964**

A circular area of land, of radius 3.218 kilometres, and having as its centre the point of junction of the Lunsemfwa and Mkushi rivers, known as Bell Point. It is situated in the Mkushi District of the Central Province at approximately latitude 14 degrees 39 minutes south and longitude 29 degrees 07 minutes east partly on State and partly on Trust Land.

The above described area, in extent 3237.6 hectares approximately, is shown upon a plan, deposited in the office of the Surveyor-General, signed by him and dated the 8th September, 1949.

### **FORT MONZE**

### ***Government Notice 255 of 1964***

A rectangular area about 9.654 kilometres south-south-west of Monze Township, in the Monze District of the Southern Province, enclosing the fort at its eastern end and the cemetery at its western end. The sides of the rectangle are approximately 701.04 metres and 182.88 metres, the bearing of the longer side being approximately 76 degrees. The area is situated approximately at latitude 16 degrees 23 minutes south, longitude 27 degrees 25 minutes east on Trust Land.

The above area, in extent 12.9504 hectares approximately, is shown upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Surveyor-General and dated the 25th October, 1950.

### **THE "GOOD NEWS" MONUMENT, MBALA DISTRICT**

### ***Government Notice 255 of 1964***

The Monument erected in 1945 to commemorate the launching of the London Missionary Society's steamship, *Good News*, in 1884, the first steam vessel to be launched on Lake Tanganyika. On the Lovu or Lufubu River, approximately 6.436 kilometres upstream from the mouth of this river where it flows into Lake Tanganyika, in the Mbala District of the Northern Province, an area 0.10175 hectares on the east (right) bank having as its centre the Good News Monument, and the west side bordering on the Lufubu River. The Monument is situated in Lungu (Tafuna) Reserve No. XXVIII at approximately latitude 8 degrees 35 minutes south, longitude 30 degrees 45 minutes east.

The above described area, in extent 518.016 hectares approximately, is shown upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Surveyor-General and dated the 20th May, 1952.

### **NKALA OLD BOMA**

***Government  
Notice  
255 of 1964***

A circular area of land with a radius of 507.492 metres, having as its centre the highest point of Kapili Wa Nakalomwe Hill on and around which are situated the ruins of the fortified police camp and boma built in 1901, situated on Trust Land No. I, 4.0225 kilometres north-east of the Tourist Camp at Ngoma in the Kafue National Park, Namwala District, in the approximate latitude 15 degrees 50 minutes and longitude 26 degrees.

The above described area, in extent 80.94 hectares approximately, is shown upon a plan signed by the Surveyor-General and dated the 11th June, 1954, and deposited in the office of the National Heritage Conservation Commission.

### **LAKE CHIRENGWA (SUNKEN LAKE)**

***Government  
Notice  
255 of 1964***

A rectangular area of land 548.64 metres from north to south and 731.52 metres from east to west having at its centre Lake Chirengwa and being situated approximately 14.481 kilometres east of Ndola in Swahili Reserve No. XI, at approximately latitude 12 degrees 58 minutes south and longitude 28 degrees 45 minutes east, in the Ndola District of the Copperbelt Province.

The above described area, in extent approximately 42.0888 hectares, is shown bordered red on Plan No. 3351, signed by the Surveyor-General on the 18th February, 1956, and deposited in the office of the National Heritage Conservation Commission.

### **FORT YOUNG**

***Government  
Notice  
255 of 1964***

A rectangular area 54.864 metres from north-west to south-east and 73.7616 metres from south-west to north-east, the boundaries of which area surround the ruins of Fort Young; this area is on the north side of the Nsadzu-Mpezeni road and is situated approximately 20.917 kilometres south-south-east of Chipata, in the Chipata District of the Eastern Province. The Fort lies at approximately latitude 13 degrees 50 minutes south, longitude 32 degrees 40 minutes east, and is situated in Ngoni Reserve No. II.

The above described area, 0.4047 hectares in extent, is shown bordered red on Plan No. 3367, signed by the Surveyor-General on the 3rd April, 1956, and deposited in the office of the National Heritage Conservation Commission.

### **CHISIMBA FALLS**

***Government  
Notice  
255 of 1964***

At Chisimba on the Luombe River, approximately 7.2405 kilometres from Chilubula Mission, in the Kasama District of the Northern Province an approximately rectangular area of 7.77 square kilometres, comprising a strip of country bordering on both banks of the Luombe River, 0.8045 kilometres in width therefrom on each bank, extending for a distance of 3.218 kilometres upstream from the Big Fall at Chisimba, and for a distance of 1.609 kilometres downstream from the said Fall. The declared area is situated in Trust Land No. XX at approximately latitude 10 degrees 07 minutes south, longitude 30 degrees 55 minutes east.

The above described area, in extent 777.024 hectares approximately, is shown upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Surveyor-General and dated the 24th February, 1949.

### **MUMBWA CAVE**

***Government  
Notice  
255 of 1964***

An area of 2.590 square kilometres having as its centre the Cave 2.4135 kilometres west of Mumbwa in the Central Province. It is situated on former Trust Land No. I at approximately latitude 14 degrees 59 minutes south, longitude 27 degrees 02 minutes east.

The above described area, in extent 259.008 hectares approximately, is

shown upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Surveyor-General and dated the 24th February, 1949.

### **NSALU HILL**

***Government  
Notice  
255 of 1964***

An area of 2.590 square kilometres having as its centre the summit of Nsalu Hill, situated in the Serenje District, at approximately latitude 12 degrees 40 minutes south and longitude 30 degrees 45 minutes east, and situated on former Trust Land No. XX.

The above described area, in extent 259.008 hectares approximately, is shown upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Surveyor-General and dated the 24th February, 1949.

### **NACHIKUFU HILLS**

***Government  
Notice  
255 of 1964***

An area of 2.590 square kilometres having as its centre the north-western end of the ridge of the Nachikufu Hills in the Mpika District at approximately latitude 12 degrees 15 minutes south and longitude 31 degrees 10 minutes east and situated on Trust Land No. XX.

The above described area, in extent 259.008 hectares approximately, is shown upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Surveyor-General and dated the 24th February, 1949.

### **NACHITALO HILL**

***Government  
Notice  
255 of 1964***

An area of land, 0.8045 kilometres in radius, having as its centre the summit of the hill known as Nachitalo in the vicinity of Msofu Mission in the Mkushi District, at approximately latitude 13 degrees 32 minutes south and longitude 28 degrees 59 minutes east. It is situated on Trust Land.

The above area, in extent 202.35 hectares approximately, is shown

coloured green upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Surveyor-General and dated the 15th August, 1950.

## **MWELA ROCK PAINTINGS**

***Government  
Notice  
255 of 1964***

The reserved area is situated to the north of the Kasama-Isoka road and 4.827 kilometres from Kasama, and contains rock outcrops in which occur a number of prehistoric rock paintings. The paintings are situated on Trust Land No. XX in the Kasama District of the Northern Province at approximately latitude 10 degrees 10 minutes south, longitude 31 degrees 13 minutes east.

Starting at a point on the edge of the footpath which runs from the junction of the Lukashya road and the Kasama-Isoka road to Kungu's village, 1955, and at a distance of 152.4 metres from their junction, the boundary runs east for 0.8045 kilometres; thence due north for 0.40225 kilometres; thence due west to the edge of the footpath to Kungu's village, 1955; thence southwards along the eastern side of this footpath to the point of starting.

The above described area, in extent approximately 32.376 hectares, is shown upon a plan signed by the Surveyor-General, dated the 11th June, 1955, and deposited in the office of the National Heritage Conservation Commission.

## **KUNDABWIKI FALLS AND ROCK PAINTINGS**

***Government  
Notice  
255 of 1964***

A rectangular area of land, situated in the Mporokoso District of the Northern Province, 0.8045 kilometres long and 182.88 metres wide, having as its south-westerly base the Kundabwika Falls and its north-easterly base a large outcrop of rock on which the paintings occur. The area is situated on Trust Land No. XX, at approximately latitude 9 degrees 13 minutes south, longitude 29 degrees 19 minutes east.

The above described area, in extent 14.5692 hectares approximately, is shown upon a plan signed by the Surveyor-General and dated the 29th December, 1958, and deposited in the office of the National Heritage Conservation Commission.

## **LUMANGWE FALLS**

***Government  
Notice  
255 of 1964***

A circular area of land with a radius of 152.4 metres, having as its centre the Lumangwe Falls on the Kalungushi River on the borders of Kawambwa and Mporokoso Districts. The area is situated on Trust Land No. XX, and is in the approximate position latitude 9 degrees 31 minutes south, longitude 29 degrees 22 minutes east.

The above area, approximately 65.5614 hectares in extent, is shown bordered red upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Surveyor-General and dated the 12th August, 1959.

## **LEOPARD'S HILL CAVE**

***Government  
Notice  
454 of 1964***

An area of 0.4047 hectares (approximately) having as its centre the Leopard's Hill Cave, situated on Leopard's Hill Ranch in the Lusaka District.

The above described area, in extent 0.4047 hectares approximately, is shown on a plan deposited in the office of the National Heritage Conservation Commission, signed by the Director of Surveys and dated the 24th February, 1949.

## **CHIFUBWA STREAM CAVE**

***Government  
Notice  
454 of 1964***

An area of 2.590 square kilometres having as its centre the Chifubwa Stream Cave 6.436 kilometres from Solwezi in the North-Western Province.

The above described area, in extent 259.4127 hectares approximately, is shown upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Director of Surveys and dated the 24th February, 1949.

## **KALAMBO FALLS**

***Government  
Notice***

## **454 of 1964**

All that piece of land known as the Kalambo Falls Reserve and comprising Subdivision No. 179 of Farm No. T, in extent 518.016 hectares, shown on General Plan No. 202A and of which the boundaries are recited on Diagram No. 71 of 1936, prepared and signed by J.E.S. Bradford, Licensed Surveyor, and dated January, 1935, viz.:

B596-B597-B598-B599-B600; thence in a straight line to the point where the line B599 produced meets the "thalweg" of the Kalambo River; thence up the "thalweg" of the Kalambo River to where it is intersected by the production of the line B597-B596; thence in a straight line to B596.

The above described area, in extent 518.016 hectares approximately, is shown upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Director of Surveys and Land and dated the 8th September, 1949.

### **KUNDALILA FALLS**

***Government  
Notice  
454 of 1964***

At Kundalila on the Kaombe River, approximately 12.872 kilometres south-east of Kanona, in the Serenje District of the Central Province, an area of approximately 2.590 square kilometres, comprising a strip of land bordering on both banks of the Kaombe River, 0.8045 kilometres in width therefrom on each bank, and extending for a distance of 0.8045 kilometres upstream and 0.8045 kilometres downstream of the main falls at Kundalila.

The above described area is shown upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Director of Surveys and Land, and dated the 20th May, 1952.

### **ROCK PAINTINGS, ROCKLANDS FARM, CHIPATA**

***Government  
Notice  
454 of 1964***

On Farm No. 32 in the Chipata District of the Eastern Province and approximately 16.09 kilometres south-east of Chipata, two groups of rock paintings (a naturalistic drawing of an eland and various geometric motifs) on two overhanging rock faces some 22.86 metres apart and found at ground level on the west side of the granite kopje named



Katotola situated approximately 1.609 kilometres east of the homestead on the Farm No. 32 known as Rocklands.

The above described site is shown upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Director of Surveys and Land, and dated the 20th May, 1952.

### **NYAMBWEZU ROCK SHELTER AREA**

***Statutory  
Instrument  
137 of 1965***

An area of approximately 37.6371 hectares, situated at the Nyambwezu Falls, Mwinilunga District, latitude 12 degrees south, longitude 25 degrees 10 minutes east. This area is marked in red on a plan signed by the Deputy Surveyor-General on the 14th February, 1962, which is deposited in the office of the National Heritage Conservation Commission, Livingstone.

The Nyambwezu rock shelter contains fine rock engravings of a similar type to those in the National Monument at Chifubwa Stream, Solwezi District. They are probably about 3,000 years old.

### **INGOMBE ILEDE HILL, LUSITU**

***Statutory  
Instrument  
138 of 1965***

A circular area, 1.45692 hectares in extent, situated on the top of the hill known as Ingombe Ilede near Lusitu in the Gwembe District of the Southern Province (latitude 16 degrees 11 minutes south, longitude 28 degrees 19 minutes east). The centre of this circular area is the Pump House known as Pampasana Pump House No. 2.

The above described area is shown outlined in red on Plan No. 3933, signed by the Deputy Surveyor-General on the 19th September, 1961, and deposited in the office of the National Heritage Conservation Commission, Livingstone.

The site was an important village and burial ground from the seventh to the eleventh century A.D. Gold, copper and ivory were traded in exchange for luxuries imported from the east coast of Africa. Many richly adorned skeletons have been recovered from the hill which is one of the most important archaeological sites in Zambia.

## **KASAMBA STREAM GRINDING GROOVES, SAMFYA**

*Statutory  
Instrument  
77 of 1966*

An area, approximately 3.2376 hectares in extent, situated on the western shore of Lake Bangweulu, 1.609 kilometres south of Samfya Boma, at a latitude 11 degrees 20 minutes south and longitude 29 degrees 33 minutes east, as demarcated by concrete plinths.

The above described area is shown coloured red upon a plan deposited in the office of the National Heritage Conservation Commission, signed by a Government Surveyor and dated the 9th December, 1965.

## **FORT ELWES**

*Statutory  
Instrument  
171 of 1966*

Fort Elwes was built in 1896-7 by a prospecting party sent out by Rhodesia Concessions Ltd. to prospect in the Muchingas and adjacent country lying to the west of the Luangwa Valley.

The fort consists of a rectangular stone structure, approximately 30.48 by 60.96 metres in area originally about 3.048 metres high with abutments at each corner and a raised stone walk around the walls. Rhodesia Concessions Ltd. withdrew their prospectors in 1898 and the fort was abandoned.

The fort is situated in latitude 13 degrees 24 minutes south, longitude 29 degrees 36 minutes east approximately, close to, and west of, the Zambia/Congo (Kinshasa) border.

The site is shown circled in red on a plan deposited at the office of the National Heritage Conservation Commission, signed by the Director of Surveys and Land and dated the 1st February, 1957.

## **MUNWA STREAM ROCK ENGRAVINGS**

*Statutory  
Instrument  
171 of 1966*

These engravings are situated on the tops of two low hills on either side of the Munwa Stream lying in longitude 28 degrees 40 minutes east, latitude 20 degrees 29 minutes south approximately, and about 2.81575 kilometres east of the point where the Munwa Stream is crossed by the

Johnston Falls-Kashiba road in the Kawambwa District of the Luapula Province.

The sites are marked 1 and 2 on the plan deposited with the National Heritage Conservation Commission, signed by the Director of Surveys and Land and dated the 21st January, 1957.

These engravings are of a geometric nature and have been executed by a pecking technique. Probably dating to late prehistoric times, they are considered to have had some ceremonial or ritual significance. They are the only engravings of this kind yet known in Zambia.

### **ROCK PAINTINGS: ZAWI HILL**

*Statutory  
Instrument  
171 of 1966*

Two groups of rock paintings on Zawi Hill in the Chipata District of the Eastern Province, situated between the Msandile and Kaulembe rivers approximately 2.4135 kilometres south of the Kaulembe, 2.7353 kilometres south by east of the Chipata-Lundazi road and 32.8236 kilometres north of Chipata. One group is on the south side of the hill above the present site of Kamukwe Village, and at the foot of the large rock on the top of the hill and consisting of naturalistic paintings of an eland and an ostrich and various schematic designs in red and white. The other group is situated at the lower entrance to the rock shelter on the eastern side of the hill and consists of a further series of schematic paintings.

The above described site is shown upon a plan deposited in the office of the National Heritage Conservation Commission, signed by the Director of Surveys and Land and dated the 30th December, 1952.

### **GWISHO HOT SPRINGS, LOCHINVAR RANCH, MONZE**

*Statutory  
Instrument  
206 of 1966*

A rectangular area 914.4 metres by 274.32 metres containing the Gwisho Hot Springs, situated on Lochinvar Ranch near Monze in the Southern Province. The area is delineated as follows: from a point "A", situated 1188.72 metres from Lochinvar Ranch House in a direction 25 degrees south of true west, to a point "B" situated 914.4 metres south of west from the point "A"; thence 274.32 metres in a direction 25 degrees west of north to a point "C"; thence 914.4 metres in a direction 25 degrees north of east to a point "D"; thence 274.32 metres in a direction

25 degrees east of south to point "A".

The above described area, approximately 25.0914 hectares in extent, is marked in red on Plan No. 5177, signed by the Government Surveyor on the 15th February, 1966, and deposited in the office of the National Heritage Conservation Commission, Livingstone.

The Gwisho Hot Springs were the focus for long occupation by Late Stone Age man about 4,000 years ago. Recent archaeological excavations have yielded important remains of this period. Of particular importance is the preservation of many human skeletons and of wood and other organic materials.

### **SEBANZI HILL, LOCHINVAR RANCH, MONZE**

*Statutory  
Instrument  
206 of 1966*

A circular area of 91.44 metres radius having as its centre the highest point of Sebanzi Hill, situated 2743.2 metres west-south-west of the Ranch House on Lochinvar Ranch near Monze in the Southern Province.

The above described area, approximately 2.4282 hectares in extent, is marked in red on Plan No. 5177, signed by the Government Surveyor on the 15th February, 1966, and deposited in the office of the National Heritage Conservation, Livingstone.

Sebanzi Hill was the site of a large Iron Age Village, apparently occupied by the ancestors of the Tonga tribe from about A.D. 1100 to about A.D. 1800. The results of recent archaeological excavations on the site have recently been published in the paper "Sebanzi, the Iron Age Sequence at Lochinvar, and the Tonga" by B. M. Fagan and D. W. Phillipson, published in the Journal of the Royal Anthropological Institute for 1965.

### **THANDWE ROCK SHELTER, CHIPATA DISTRICT**

*Statutory  
Instrument  
267 of 1967*

A circular area of radius 91.44 metres, having as its centre the Thandwe Rock Shelter, situated in Chief Nzamane's area of the Chipata District of the Eastern Province, at latitude 13 degrees 49 minutes south, longitude 32 degrees 28 minutes east. The area is marked in red on Plan No. 5246, signed by the Government Surveyor on the 13th March,

1967, and deposited in the office of the National Heritage Conservation Commission, Livingstone.

The Thandwe Rock Shelter contains fine examples of rock paintings of the later Eastern Province styles, and has contributed much towards the elucidation of the sequence of painting in eastern Zambia.

### **MKOMA ROCK SHELTER, CHIPATA DISTRICT**

*Statutory  
Instrument  
347 of 1967*

A circular area of radius 91.44 metres, having as its centre the Mkoma Rock Shelter, situated on the Zambia Youth Service's Farm in the Chipata District of the Eastern Province, at latitude 13 degrees 54 minutes south, longitude 32 degrees 12 minutes east. The area is marked in red on Plan No. 5245, signed by the Government Surveyor on the 13th March, 1967, and deposited in the office of the National Heritage Conservation Commission, Livingstone.

The Mkoma Rock Shelter contains fine examples of prehistoric rock paintings and has contributed much towards the elucidation of the sequence of painting styles in the Eastern Province.

### **CHILENJE HOUSE 394, LUSAKA**

*Statutory  
Instrument  
390 of 1968*

An area of approximately 8423.115 square metres, situated in the Chilenje area of the City of Lusaka. The area is demarcated on the ground by a brick wall and iron railings and is marked in red on a plan signed by the Surveyor-General on the 25th March, 1968, and deposited in the office of the National Heritage Conservation Commission, Livingstone.

Chilenje House 394 was occupied by Dr. K. D. Kaunda from January, 1960, until December, 1962, and was the centre of his work during the struggle for Zambia's independence.

### **DAG HAMMARSKJOELD MEMORIAL SITE, NDOLA DISTRICT**

*Statutory  
Instrument  
14 of 1970*

A square area of side 91.44 metres containing the Dag Hammarskjöld

Memorial Cairn situated within Forest Reserve No. 54: Ndola West at 12 degrees 58 minutes 32 seconds south, 28 degrees 31 minutes 13 seconds east. The square is delineated as follows: from a point A situated 36.576 metres from the centre of the cairn on a bearing of 120 degrees magnetic to a point B 43.8912 metres distant from A on a bearing of 210 degrees magnetic; thence 91.44 metres on a bearing of 300 degrees magnetic to a point C; thence 91.44 metres on a bearing of 30 degrees magnetic to a point D; thence 91.44 metres on a bearing of 120 degrees magnetic to a point E; thence 47.5488 metres on a bearing of 210 degrees magnetic to the point A described above.

The area thus defined is shown marked in red on a plan numbered NM/1, signed by the Surveyor-General on 20th May, 1969, and deposited at the office of the National Heritage Conservation Commission, P.O. Box 124, Livingstone.

The memorial marks the site of the Douglas DC.6B aircraft crash in which Mr Dag Hammarskjöld, then Secretary-General of the United Nations, was killed on 18th September, 1961. Mr. Hammarskjöld was on his way to a conference in Ndola in an attempt to bring peace to the Congo Republic.

## **MAKWE ROCK SHELTER, KATETE**

*Statutory  
Instrument  
116 of 1970*

A circular area of radius 182.88 metres, having as its centre the highest point of little Makwe Hill, situated two miles south of Kondwelani School in Chief Kathumba's area of the Katete District, at 14 degrees 24 minutes south, 31 degrees 56 minutes east.

The area thus defined is shown marked in red on a plan numbered 5573 signed by the Government Surveyor on 6th March, 1970, and deposited at the office of the National Heritage Conservation Commission, P.O. Box 124, Livingstone.

Makwe Rock Shelter was the scene of large scale archaeological excavations conducted by the National Monuments Commission in 1966. The site was first occupied by Late Stone Age people, probably about 6,000 years ago. The stone tools made by these people were of a previously unknown type. Later finds indicate the arrival of an Early Iron Age population and of the ancestors of the Cewa and Nsenga peoples. The rock shelter also contains a large and interesting series of rock paintings. Makwe is one of the most intensively investigated rock

shelter sites in Central Africa and has thrown a great deal of light on the prehistory of the Eastern Province. A full report on the results of the excavations is being prepared for publication by the Secretary/Inspector of the National Monuments Commission, Mr. D. W. Phillipson.

## **TWICKENHAM ROAD ARCHAEOLOGICAL SITE**

*Statutory  
Instrument  
37 of 1972*

All that area approximately 3.44119735 hectares in extent, known as Stand No. 3999 situate on the south-westerly side of Twickenham Road, Olympia Park, in the City of Lusaka, and shown outlined in red on a plan numbered 5625 which is dated 5th August, 1970, and which is deposited in the office of the National Heritage Conservation Commission, P.O. Box 124, Livingstone.

Note.-Twickenham Road Archaeological Site has been the scene of excavations conducted by the National Heritage Conservation Commission which have provided a great deal of information concerning the prehistory of the area now occupied by the City of Lusaka, Zambia's capital city. An initial Late Stone Age occupation was followed by a village of Early Iron Age farmers dating from about 1,100 years ago. The pottery made by these Early Iron Age people is some of the finest and most elaborate which has ever been found in Zambia. Two later Iron Age villages have also been known to have stood on the site. Of these the later probably dates to the nineteenth century A.D. and may be contemporary with the cemetery which was discovered during the construction of the nearby National Assembly building. A full report of the Twickenham Road excavations, by the National Monuments Commission's Secretary/ Inspector, Mr. D. W. Phillipson, will shortly be published.

The site is declared a National Monument in order to ensure its preservation for posterity and to keep it available for more intensive archaeological investigation in the future. It is hoped that a small Field Museum may be constructed at the site at a later date.

## **KALEMBA ROCKSHELTER**

*Statutory  
Instrument  
82 of 1974*

A circular area of radius one kilometre having as its centre the Kalemba Rockshelter situated at approximate latitude 14 degrees, 7 minutes south, approximate longitude 32 degrees, 30 minutes east, in the

Chadiza District of the Eastern Province of Zambia. This area is shown outlined in red on a Plan numbered 5821, which is dated 13th June, 1972, and which is deposited in the Office of the National Heritage Conservation Commission, Livingstone.

Note: Kalemba Rockshelter contains a magnificent display of prehistoric rock paintings, most of which are thought to be of later Iron Age date. The site also preserves deep archaeological deposits showing abundant traces of occupation from the Middle Stone Age into recent times. It was the scene of excavations by the National Heritage Conservation Commission.

## **LAKE KASHIBA**

*Statutory  
Instrument  
68 of 1976*

An area of land around Lake Kashiba, situated at approximately 13 degrees 27'S, 27 degrees 56'E, in Chief Ndubeni's area of the Ndola Rural District in the Copperbelt Province. This area is bounded to the east by a line encompassing all the land within 500 metres of the edge of the lake; to the north by a line extending due west from a point 500 metres north of the northernmost point of the lake edge; to the south by a line extending due west from a point 500 metres south of the southernmost point of the lake edge; and to the west by the eastern bank of the Chisanga stream which lies to the west of Lake Kashiba.

The above described area, of approximately 120 hectares, is marked in red on Sketch Plan No. 6100, signed by the Government Surveyor on 30th August, 1974, and deposited in the office of the National Heritage Conservation Commission.

Lake Kashiba, a natural sunken lake of near-rectangular form with almost vertical sides of rock, is believed to reach to over 100 metres depth and contains a large number of fish. The Lake is associated with a number of legends by the local Lima people.

## **NTUMBACHUSHI FALLS**

*Statutory  
Instrument  
69 of 1976*

The Ntumbachushi Falls on the Ngona river and the area around it in the Protected Forest Area of Kawambwa District in the Luapula Province. The area at approximately 9 degrees 52'S, 28 degrees 58'E includes the Ngona river and all the land within 500 metres of either



bank of the river, for a distance of 1,000 metres up stream and 1,000 metres down stream from the Ntumbachushi Falls.

The above described area, of approximately 186 hectares, is shown marked red on Sketch Plan No. 6126 signed by the Government Surveyor on 13th December, 1974, and deposited in the office of the National Heritage Conservation Commission.

The Ntumbachushi Falls are the centre of an attractive area of the Ngoni river on the Muchinga escarpment, and natural pools extend above the falls themselves.

### **OLD DRIFT CEMETERY**

*Statutory  
Instrument  
70 of 1976*

The Old Drift Cemetery and the adjacent lone grave, adjacent to Riverside Drive in the Mosi-oa-Tunya National Park at approximately 17 degrees 53«S, 25 degrees 48«E, in the Livingstone District of the Southern Province.

This comprises the rectangular area of 40 metres of the Cemetery, but excluding the area of 6.0 by 4.5 metres cut by Riverside Drive at its south-west corner; and the area within 10 metres radius of the centre of the lone grave which lies 35 metres to the south-west of the Cemetery.

The above described area of approximately 1,300 square metres is marked red on Sketch Plan No. 6101 signed by the Government Surveyor on 30th August, 1974, and deposited in the office of the National Heritage Conservation Commission.

Old Drift Cemetery was the burial place of the first European settlers in the Livingstone area, who lived at Old Drift on the Zambezi to the south-east of the Cemetery.

### **VON LETTOW-VORBECK MONUMENT**

*Statutory  
Instrument  
71 of 1976*

The monument erected on the north bank of the Chambeshi river in the Kasama District of the Northern Province to the east of the Mpika-Kasama road in Chief Nkolemfumu's area of Native Trust Land No. XX, at approximately 10 degrees 58«S, 31 degrees 06«E.

The above described area, of approximately 35 square metres, is marked red upon Sketch Plan No. 6102 signed by the Government Surveyor on 30th August, 1974, and deposited in the office of the National Heritage Conservation Commission.

The Von Lettow-Vorbeck Monument, built by the Commission in 1953, commemorates the end of the march into Zambia of General Von Lettow-Vorbeck, Commander of German forces in East Africa during the First World War. Close to the position of the monument he was informed of the end of the war in Europe and agreed to surrender. The monument incorporates a breech-loading field gun of the type used by the German army during this campaign.

**LUBWA HOUSE OF DR KENNETH DAVID KAUNDA** *Statutory Instrument 121 of 1976*

An area of approximately one hectare situated at Lubwa Mission in the Chinsali District at latitude 10 degrees 35 minutes south, longitude 32 degrees 1 minute east. The boundary is formed by lines parallel to the walls of the former house of Dr Kenneth David Kaunda at a distance of 30 metres, and by the edge of the road near the house.

The above described area is marked on plan number 6313 signed by the Government Surveyor on the 6th June, 1976, and deposited in the office of the National Heritage Conservation Commission.

This brick house was occupied from 1945 by the first President of the Republic of Zambia, Dr Kenneth David Kaunda, while he was headmaster of Lubwa Upper Primary School.

**NTEMBWE OF MWASE LUNDAZI** *Statutory Instrument 122 of 1976*

An area comprising the earthwork enclosure 2 kilometres from Ntembwe village of Chief Mwase Lundazi's area in the Lundazi District, at approximately latitude 12 degrees 24 minutes south and longitude 33 degrees and 22 minutes east. The boundaries of the area extend 15 metres beyond the earthwork features.

The site is marked on Plan No. 6314 signed by the Government

Surveyor on the 6th June, 1976, and deposited in the office of the National Heritage Conservation Commission.

The Ntembwe is a camp with an irregular earthwork bank and ditch, traditionally believed to have been a baKafula village until about 1850 when the Chewa people settled at the site.

## **THE CHICHELE MOFU TREE**

***Statutory  
Instrument  
123 of 1976***

A large Mofu mahogany tree (*Entandrophragma devevayi*, De-Wild) situated in Chichele National Forest F39 alongside Road T3 at a point approximately 13 kilometres west of Ndola and 2,000 metres west of the turn-off to the Dag Hammarskjöld Memorial site.

The location of the above tree is shown on a plan signed by the Government Surveyor and dated the 12th May, 1976, and deposited in the office of the National Heritage Conservation Commission.

The tree is a relic of the once dense Parinari Forest in the Chichele-Ndola area. This specimen has survived because of certain traditional beliefs whereby the tree is regarded with awe and reverence by the local people.

## **MPONGWE FORTIFIED CAMP**

***Statutory  
Instrument  
136 of 1976***

An area of approximately 9 hectares situated on the north bank of the Mpongwe Stream near the site of the former Boma, in Chief Lesa's area of the Ndola Rural District, at a latitude of 13 degrees 31 minutes south and a longitude of 28 degrees 9 minutes east. The boundaries of this area are the bank of the Mpongwe Stream and a line 10 metres outside the artificial earthwork bank and ditch of the site.

The above described area is marked upon Plan No. 6312, signed by the Government Surveyor on the 6th June, 1976, and deposited in the office of the National Heritage Conservation Commission.

The site is a former settlement camp surrounded by a raised bank and double ditch to serve as a fortification. The camp and earthwork were constructed during a period of raiding into the area by the neighbours

of the Lima people, probably about 1870.

## **ZAMBEZI SAWMILLS RAILWAY LOCOMOTIVE SHEDS**

***Statutory  
Instrument  
137 of 1976***

An area within Plots 830, 996 and the Railway Reserve in Livingstone. Starting at point A which is situated 40 metres north of the boundary between Plots 830 and 996, Livingstone and 8 metres south of the Livingstone-Mulobezi railway line, the boundary proceeds on a bearing of 95 degrees parallel to the railway line for a distance of 175 metres to point B; thence by a curved line parallel to the railway line for a distance of 320 metres to point C; thence on a bearing of 270 degrees for a distance of 16 metres to point D; thence on a bearing of 1 degree for a distance of 75 metres to point E; thence on a bearing of 265 degrees for a distance of 50 metres to point F, situated on the boundary of Plots 830 and 996, Livingstone; thence following the boundary line northwards for a distance of 190 metres to point A, the point of starting.

The above described area of approximately 2 hectares is marked bordered red on Sketch Plan No. 6261, signed by the Surveyor-General on the 1st December, 1975, and deposited in the office of the National Heritage Conservation Commission.

The locomotive sheds were formerly used for the maintenance of steam engines on the Livingstone-Mulobezi line, once the longest privately owned railway in the world. The area has been declared a national monument to serve as the site of a railway museum.

## **ZAMBEZI SOURCE**

***Statutory  
Instrument  
162 of 1983***

The area enclosed in the boundary starting at point 1, a point on a bearing of  $207\frac{1}{2}$  degrees and 160 metres from the confluence of the Zambezi River and an unnamed tributary, the boundary runs on a bearing of  $223\frac{1}{2}$  degrees for a distance of 1,030 metres to point 2; thence on a bearing of 209 degrees for a distance of 450 metres to point 3; thence on a bearing of 297 degrees for a distance of 220 metres to point 4; thence on a bearing of 19 degrees for a distance of 350 metres to point 5; thence on a bearing of 43 degrees for a distance of 1,060 metres to point 6; thence on a bearing of 102 degrees for a distance of 290 metres to point 1, the point of starting.

All distances and bearings are approximate and all bearings are taken from north.

The above described area approximately 36.8 hectares in extent is bordered red on Sketch Plan No. 6951, signed by the Surveyor-General on 19th July, 1983, and deposited in the offices of the National Heritage Conservation Commission, Livingstone.

Note-Zambezi Source National Monument forms part of the Zambezi Source National Forest No. P80 in Mwinilunga District which has been registered under section CT of the International Biological Programme. It is one of fifty botanical reserves selected as being the best preserved examples of the major vegetation types of Zambia, and it is declared a National Monument not only for its rare and unusual plants but also to preserve the stream flow of the mighty Zambezi River.

The mean annual rainfall based on a thirty-five year period is 1,372 mm between November and April. The mean monthly temperature maximum is 81 degrees F and the minimum 55 degrees F with absolute maximum of 94 degrees F and absolute minimum of 31 degrees F. Frosts are normally very slight. The winds throughout most of the year are south-westerly.

The geology is complicated but rocks of the Kundelungu, upper and lower Roan cover the area. The soils are plateau soils, sandy loams on the slopes to the head-waters, associated with deep leaf litter and peat in the valley bottom.

The important vegetation is the area of swamp/*riparian forest* covering the actual head-waters. This is a 3-storey forest with a dense evergreen canopy around 24 m high and a more or less continuous shrub layer between 2-3 m high.

## **ZAMBEZI SAWMILLS LOCOMOTIVE SHEDS**

***Statutory  
Instrument  
100 of 1984***

Starting at Beacon 55a situated on the Zambezi Sawmills Railway Reserve, the boundary follows south-eastwards on a bearing of 173 degrees 15'30" for a distance of 49.00 m to Beacon 55b; thence south-westwards on a bearing of 265 degrees 57'39" for a distance of 6.00 m to Beacon 55c; thence in a straight line south-eastwards through Beacon 55d on a bearing of 175 degrees 59'10" for a distance of 84.00 m to point NMC 11; thence eastwards for a distance of 50.00 m to Beacon 56c; thence southwards for a distance of 198.00 m to Beacon CD10; thence south-westwards for a distance of 141.00 m to Beacon

CD9; thence further south-westwards for a distance of 113.00 m to Beacon CD8; thence westwards in a straight line through Beacons CD7 and CD6 on a bearing of 91 degrees 06'40" for a distance of 40.00 m to Beacon 65a; thence northwards on a bearing of 101 degrees 06'40" for a distance of 135.00 m to Beacon 65 m; thence westwards in a straight line on a bearing of 89 degrees 06'50" through Beacon 651 for a distance of 91.00 m to point NMC1; thence north-eastwards with an angle of 62 degrees 30'00" at point NMC1 for a distance of 234.00 m to Beacon 75b; thence westwards for a distance of 26.00 m to point NMC2; thence northwards for a distance of 96.00 m to point NMC3; thence westward in a straight line through point NMC4 for a distance of 135.00 m crossing Livingstone District Council underground water main pipe situated along a strip of land reserve designated S.11, to point NMC5; thence north-eastwards along the eastern edge of the aforementioned strip of land reserve to point NMC6; thence eastwards for a distance of 162.00 m to point NMC7; thence south westwards for a distance of 86.00 m to point NMC8; thence westwards for a distance of 11.00 m to the point of starting. All distances and angular measurements are approximate and all bearings are from the True South.

The above described area approximately 10.2855 hectares is marked bordered red on Sketch Plan No. 7246-NMC/01/LOCOMOTIVE/82, signed by the Surveyor-General on the 26th May, 1983, and deposited in the office of the National Heritage Conservation Commission.

The locomotive sheds were formerly used for the maintenance of steam engines on the Livingstone-Mulobezi line, once the longest privately owned railway in the world. The area has been declared a national monument to serve as the site of a railway museum.

## **HOUSE NO. 3144, MATERO TOWNSHIP, LUSAKA**

*Statutory  
Instrument  
118 of 1984*

The house is located along Monze Road, Matero Township, Lusaka Urban District Council. It is built of solid sand and cement blocks and is roofed with corrugated asbestos sheets.

The above described house is marked bordered red on a plan signed by the District Development Secretary on 20th September, 1984, and deposited in the office of the National Heritage Conservation Commission, Livingstone.

House No. 3144 was used from 1959 to 1961 as the headquarters of the United National Independence Party.

The house has been declared a national monument for the important role it played and because it was from this house that major policy decisions, which led Zambia not only to independence but also to the present peace and prosperity it is enjoying, were made.

**HOUSE NUMBER 280, LUWEMBU STREET, OLD CHILENJE, LUSAKA**

***Statutory  
Instrument  
119 of 1984***

The house is built along Luwembu Street, Old Chilenje, Lusaka Urban District Council. The house is three-roomed and its walling material is of solid sand and cement blocks and is roofed with corrugated asbestos sheets.

The above described house is marked bordered red on a plan signed by the District Development Secretary on 21st September, 1984, and deposited in the office of the National Heritage Conservation Commission, Livingstone.

House number 280 was the first office of the Zambia African National Congress.

The house has been declared a national monument for the important role it played in housing the Zambia African National Congress, the precursor to the United National Independence Party, in those early difficult days of Zambia's struggle for independence.

**HOUSE NUMBER E1376, MUSUKU ROAD, BWACHA TOWNSHIP, KABWE**

***Statutory  
Instrument  
120 of 1984***

The House is built on subdivision Number E1376 of Farm Number 1541 along Musuku Road, Bwacha, Kabwe Urban District Council. The House is built on a plot measuring 35.738 x 25.375 metres and is three-roomed and its walling material is solid sand and cement blocks and is roofed with corrugated iron sheets.

The above described House is marked bordered red on a plan signed by the District Development Secretary on 20th September, 1984, and deposited in the Office of the National Heritage Conservation

Commission, Livingstone.

It was in this House that His Excellency the President Dr K.D. Kaunda was elected for the first time, on 8th March, 1958, as President of the Zambia African National Congress precursor to the United National Independence Party.

The House has been declared a national monument for the important role it played as a meeting place for the Party in those early difficult days in the struggle for the Independence of Zambia.

**HOUSE NO. J11A KABOMPO TOWNSHIP,  
KABOMPO**

*Statutory  
Instrument  
123 of 1987*

The House is located at the junction of Chiweza Road and Kabompo Road, Kabompo Township, Kabompo District.

The above described house is marked bordered red on a plan signed by the Surveyor-General on the 27th October, 1986, and deposited in the Office of the National Heritage Conservation Commission, Livingstone.

The house has been declared a national monument because of the events which took place in it. It was in this house that His Excellency the President Dr K. D. Kaunda was, together with other freedom fighters, restricted by the Colonial authorities from March to July, 1959.

**FORMER HOUSE OF RT HON. PRIME MINISTER ROBERT  
GABRIEL MUGABE OF ZIMBABWE**

*Statutory  
Instrument  
139 of 1987*

The above described property is marked bordered red on a plan which is deposited in the office of the National Heritage Conservation Commission.

The house built of red brick wall with grass thatched roof has four rooms, is situated at Chalimbana Teacher Training College and has been declared a National Monument for the important role it played in the struggle for Zimbabwe's Independence in that Comrade R. G. Mugabe now Prime Minister of Zimbabwe lived there from 1954 to 1958.



## **THE OLD NATIONAL ASSEMBLY**

*Statutory  
Instrument  
169 of 1987*

The Old National assembly also known as the Old Secretariat or what was popularly known as Legco, Independence Avenue in Lusaka.

The above described property is marked bordered red on a plan which is deposited in the office of the National Heritage Conservation Commission, Livingstone.

The Old National assembly, also commonly referred to now as Old Secretariat, is a Georgian styled building, richly moulded with Romanesque pillars, rusticated mortar joints, a red tiled roof and a beautiful staircase designed in 1932 by Mr John A. Hongterp, F.R.I., B.A. and erected in 1932. It depicts fine and rich architectural features. In that National Assembly, diverse political and historic legislative events important to Zambia's history took place both during pre-and post-independence times.

## **CASTLE HOTEL**

*Statutory  
Instrument  
168 of 1987*

The property with the Castle Hotel thereon is situated along Lundazi-Mphanda Road in Lundazi.

The above described property is marked bordered red on a plan which is deposited in the office of the National Heritage Conservation Commission, Livingstone.

The Castle Hotel is the first Castle of its kind in Zambia. It displays unique fortified English architectural features both in crude and refined forms. It is constructed of red bricks, with corrugated iron roof. It was designed and partly erected by Mr Fleming in 1956, later completed by Mr Burton in the same year.

## **FREEDOM HOUSE, FREEDOM WAY, LUSAKA**

*Statutory  
Instrument  
89 of 1988*

The property with Old Freedom House thereon is situated along

Freedom Way, Lusaka Urban District.

The above described property is marked bordered red on a plan which is deposited in the Office of the National Heritage Conservation Commission, Livingstone.

Freedom House was a launching pad of party activities during the struggle for Independence and hence it was from this building that the United National Independence Party (UNIP) manifesto of 1962 was launched.

The Building has been declared a National Monument not only for the important events that took place in it during the struggle for Zambia's Independence but as a memento of that heroic period.

### **FOOTBALL HEROES BURIAL SITE**

***Statutory  
Instrument  
138 of 1986***

Micheal D. Mwape, Godfrey Chitalu, Alex Chola, Efford Chabala, Wisdom Chansa, Kelvin Mutale, Whiteson Changwe, Robert Watiyakeni, Eston Mulenga, Derby Makinka, Moses Chikwalakwala, Witson Sakala, Numba Mwila, Samuel Chomba, Moses Masuwa, Godfrey Kangwa, Richard Mwanz, Winter Mumba, John Soko, Timothy Mwitwa, Kenani Simambe, Patrick Banda, Wilson Mtonga, Nelson M. Zimba, Joseph B. Salimu, Col. Mike Muhone, Lt. Col. Victor Mubanda, Lt. Col. Joseph Sacika, W.O.1 E. S. Nambote and Corp. Thompson Sakala.

### **LUSAKA THERMAL POWER STATION**

***Statutory  
Instrument  
146 of 1996***

Lusaka Thermal Power Station which is located on Stand No. 6949, Great East Road, Lusaka which consists of three units:

- (a) three boilers;
- (b) three steam turbines with connected reduction gears; and
- (c) auxiliary equipment, buildings and structures.

## **LIBALA LIMESTONE**

*Statutory  
Instrument  
63 of 1987*

The Libala Limestone is located in Lusaka next to Lusaka Primary School along Chilimbulu road.

THE NATIONAL HERITAGE CONSERVATION COMMISSION

## **SECTION 27-CANCELLATION OF THE DECLARATION OF A NATIONAL MONUMENT**

Statutory Instrument  
222 of 1992

The declaration of the Monument described in the Schedule hereto as a National Monument is hereby cancelled and Government Notice No. 9 of 1958 and Gazette Notice No. 1413 of 1972 are hereby cancelled.

## **SCHEDULE**

### **OLD GOVERNMENT HOUSE, LIVINGSTONE**

Old Government House is a brick and timber building situated on Crown land on Plot No. 209 at the junction of Sackville Street and Queensway, Livingstone. This notice relates only to Plot No. 209 together with those parts of the building shaded red on a plan deposited with the National Heritage Conservation Commission, signed by the Surveyor-General and dated the 14th December, 1957.

Originally an hotel, this building was taken over in 1907 as the Residency and Headquarters of the British South Africa Company's Administrator of North-Western Rhodesia. It remained the residence of the Administrators after the amalgamation of North-Western and North-Eastern Rhodesia in 1911 and of the Governors of Northern Rhodesia from 1924 until 1935 when the capital of the Territory was transferred to Lusaka. A good example of the style of building constructed in the Territory in the early years of the century, it is also the most historic house in the country and is in a good state of preservation. Much of the original furniture is also in existence.

# SECTION 16 OF THE NATURAL AND HISTORICAL MONUMENTS AND RELICS BY-LAWS

Government Notices  
120 of 1954  
68 of 1957

(Cap. 266 of *The 1971 Edition of the Laws*\*)

\* *These By-laws continue in force by virtue of section 15 of the Interpretation and General Provisions Act (Cap 2).*

*By-laws made by the Commission with the approval of the Minister*

1. These By-laws may be cited as the Natural and Historical Monuments and Relics By-laws and shall apply to all national monuments, ancient monuments and ancient workings under the control of the Commission, other than those mentioned in the Schedule.

Title and application

(*As amended by No. 68 of 1957*)

2. No person, other than a person duly authorised by the Commission, shall in or in respect of any ancient or national monument or ancient working do or attempt to do any of the following acts:

Prohibited acts

- (a) destroy, damage, injure, deface or remove any tree, shrub or other vegetation; or
- (b) injure, deface, destroy or remove any monument, notice-board, fencing or other structure lawfully erected; or
- (c) roll any rock from its natural position; or
- (d) fire any grass, undergrowth or trees:

Provided that-

- (i) any *bona fide* picnic party may light fires for cooking purposes on condition that any fires so lighted shall be effectively prevented from spreading and shall be extinguished before being left by the person or persons who lighted them;
- (ii) such fires shall not be lighted in any place where they are likely to spread or cause damage to any monument or relic; or
- (e) mark, deface, alter or in any way attempt to destroy or interfere with any petroglyph or drawing or painting on stone or any portion of the rock face containing the same.

**3.** No person shall, within any area or place which has been duly proclaimed to be an ancient or national monument or ancient working or adjacent thereto, do or attempt to do any of the following acts: Additional prohibited acts

- (a) commit any nuisance or use any latrine or lavatory for any purpose other than that for which it was intended; or
- (b) throw away or leave any litter or rubbish of any description, except in the receptacles provided therefor.

\*These By-laws continue in force by virtue of section 15 of the Interpretation and General Provisions Act (Cap 2).

**4.** No person shall, except by written authority from the Commission and subject to such conditions as the Commission may attach thereto, do or attempt to do any of the following acts within any area or place which has been duly proclaimed to be a national monument: Prohibition of certain acts except under the authority of a permit from the Commission

- (a) hawk any goods or carry on any trade or business; or
- (b) drive, or cause to be driven any vehicle or bicycle over any part of the area of a national monument (other than over a recognised public road) where the driving of such vehicle or bicycle is shown to be prohibited by any notice-board erected in a suitable position by the Commission; or
- (c) kill, hunt, capture or unlawfully molest by any method any wild animal (excluding fish) or bird; or
- (d) carry any firearm, airgun, catapult or other offensive weapon; or
- (e) in any river, stream or lake take fish by any method other than by rod and line; or
- (f) encamp or reside elsewhere than on sites specially set aside by the Commission for that purpose; or
- (g) construct any building, shelter or other erection; or
- (h) search for by means of either excavation or surface operations or remove any objects of archaeological or palaeontological or anthropological interest; or
- (i) trace or attempt to make a tracing or rubbing or squeeze of any petroglyph or drawing or painting on stone; or
- (j) clear, cultivate or break up land for cultivation or for any other purpose; or
- (k) graze cattle or other domestic animals.

5. Any person contravening or attempting to contravene any of these By-laws, or any condition attached to any permit issued under these By-laws, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding seven hundred and fifty penalty units.

Penalty

*(As amended by Act No. 13 of 1994)*

## **SCHEDULE**

*(By-law 1)*

The area declared to be a national monument by Government Notice No. 222 of 1954, and known as the Hippo Pool, Chingola. *(No. 68 of 1957)*

## **SECTION 15 OF THE ANCIENT MONUMENTS RULES**

Government Notices  
90 of 1948  
109 of 1949  
69 of 1957  
226 of 1964  
Act No. 13 of 1994

*(Cap. 266 of The 1971 Edition of the Laws\*)*

*\* These Rules remain in force by virtue of section 15 of the Interpretation and General Provisions Act (Cap 2).*

*Rules by the Minister*

1. These Rules may be cited as the Ancient Monuments Rules. Title
2. (1) The Commission shall consist of not less than three members. Members of Commission
- (2) A quorum of the Commission shall consist of three members.
- (3) The chairman of the Commission shall be appointed by the Minister and shall convene all meetings. If at any meeting of the Commission the chairman is absent, the members present shall choose

one of their number as chairman of that meeting.

(4) Should any three members desire to call a meeting, they shall notify the secretary to the Commission by means of a communication signed by all three of them, and the secretary shall forthwith issue a written notice of such meeting to the chairman and all members of the Commission, fixing the date thereof for a day not less than five weeks later than the receipt of the notice by the secretary.

(5) The member presiding as chairman at any meeting of the Commission shall have a deliberative as well as a casting vote.

(6) Subject to sub-rule (5), a decision of the majority of the members of the Commission present at any meeting shall be deemed to be a decision of the Commission.

*(As amended by No. 226 of 1964)*

3. The Commission shall meet not less than twice annually. Meetings shall be held at a centre or centres to be decided upon by the chairman, as circumstances may demand; one meeting shall take place before the 30th June in each year and the second before the 31st December in each year, the latter to be convened in time for consideration of the annual estimates.

Meetings of Commission

4. (1) The secretary shall keep minutes and other records and conduct the correspondence of the Commission in such manner as the Commission shall decide.

Keeping of  
minutes

(2) The minutes of each meeting of the Commission shall be laid before the next following meeting. When such minutes are approved by the Commission, the chairman shall sign the same, and they shall then be deemed for all purposes to be a true and complete record of the proceedings of the Commission at the meeting to which they purport on their face to relate.

\*These Rules remain in force by virtue of section 15 of the Interpretation and General Provisions Act (Cap 2).

**5.** The Commission may resolve itself into committees of one or more members for the purpose of special inquiry, investigation and report. Appointment of committees

**6.** The Commission may appoint special committees for the purpose of exercising all or any of the powers and duties set out in section *seven*, or of enforcing any by-laws made under the provisions of section *sixteen*, of the Act in respect of particular areas. Committees

*(As amended by No. 69 of 1957)*

**7.** The proceedings at each meeting of the Commission or any special committee shall be conducted in such order and such manner as the chairman, with the approval of the Commission or committee, shall from time to time decide. Procedure at meetings

*(As amended by No. 109 of 1949)*

**8.** Members of the Commission or any special committee shall hold office for a period of five years. Period of membership

*(As amended by No. 109 of 1949)*

**9.** Any member may resign from the Commission or any special committee at any time. Such resignation shall be in writing and shall be addressed to the chairman, and shall take effect from the date on which it is accepted. Resignation of members

*(As amended by No. 109 of 1949)*

**10.** The secretary to the Commission shall notify the chairman of all vacancies in the membership of the Commission or any special committee. Vacancies

*(As amended by No. 109 of 1949)*

**11.** Members of the Commission or any special committee will be allowed their travelling expenses to and from the meetings of the Commission or committee, and when travelling on special business connected with either of these bodies. If motor transport is used, mileage allowance at Government rates will be paid. Members who travel to centres other than their place of residence will be entitled to subsistence allowance at Government rates whilst on duty connected Allowances



with the work of the Commission or any special committee.

(No. 109 of 1949)

## **SECTION 16-THE HIPPO POOL, CHINGOLA, BY-LAWS**

Government Notice

70 of 1957

(Cap. 266 of The 1971 Edition of the Laws\*)

*\* These By-laws remain in force by virtue of section 15 of the Interpretation and General Provisions Act (Cap 2).*

*By-laws made by the Commission with the approval of the Minister*

1. These By-laws may be cited as the Hippo Pool, Chingola, By-laws and shall apply only to the Area.

Title and application

2. In these By-laws, unless the context otherwise requires-

Interpretation

"the Area" means the area declared to be a national monument by Government Notice No. 222 of 1954, and known as the Hippo Pool, Chingola;

"the Conservancy" means the special committee appointed by the Commission, under the provisions of rule 6 of the Ancient Monuments Rules, to control and administer the Area;

"permit" means a permit granted under the provisions of by-law 3.

3. (1) The Conservancy may grant to any person or class of persons a written permit empowering such person or class of persons to do any act which would otherwise be prohibited by the provisions of these By-laws. Permits in respect of prohibited acts

(2) The Conservancy may attach such terms and conditions to any permit as to the Conservancy may seem necessary, and any person who contravenes or fails to comply with any such term or condition shall be guilty of an offence.

(3) A permit shall remain in force for such period, not exceeding twelve months from the date thereof, as may be specified therein.

(4) The Conservancy may revoke, alter or amend any permit at any time upon giving reasonable notice in writing in that behalf to the person to whom the permit was granted.

4. Any person who does any of the following acts within the Area shall be guilty of an offence: Acts prohibited within the Area

(a) kills, hunts, captures, snares or wilfully molests by any method or in any manner any wild animal, other than fish, or takes, destroys or disturbs the nest or eggs of any such animal:

Provided that this paragraph shall not apply to noxious insects or to the nest or eggs of crocodiles;

(b) takes fish in any river, stream or pool by any method other than by rod and line;

(c) carries, elsewhere than on the road running between Chingola and Chililabombwe, or uses any firearm, airgun, catapult, bow, arrow, spear, trap or snare;

\*These By-laws remain in force by virtue of section 15 of the Interpretation and General Provisions Act (Cap 2).

(d) keeps any dog or other animal or has any dog which is not under control;

(e) grazes cattle or other domestic animals;

(f) clears, cultivates or breaks up land for cultivation or for any other purpose;

(g) destroys, damages, injures, defaces or removes any tree, shrub, flower or other vegetation;

(h) makes any excavation, otherwise than in pursuance of the requirements of paragraph (k), or removes from its site any soil, sand, earth or stone;

(i) injures, defaces, destroys, removes or otherwise interferes with any structure lawfully erected or any sign, notice-board or monument;

(j) throws or leaves any litter or rubbish of any description in any place other than in the rubbish bins or receptacles provided:

Provided that if no bin or receptacle is provided, such litter

or rubbish shall be buried, burnt or carried away;

- (k) discards any burning object or sets fire to any grass, undergrowth or trees:

Provided that fires may be lighted for cooking or other purposes on condition that such fires-

- (i) shall not be lighted in any place where they are likely to lead to uncontrolled fires;
- (ii) shall be extinguished, before being left, by the person or persons who lighted them;
- (l) constructs any landing-stage or landing-place or any building, shelter or other erection;
- (m) hawks any goods or carries on any trade or business;
- (n) begs or collects any money or exhibits any bill or poster;
- (o) hires boats, or carries any passengers in boats, for or in expectation of gain or reward;
- (p) enters any part of the Area where such entry is shown to be prohibited by a notice-board or other sign erected by the orders of the Commission or of the Conservancy;
- (q) drives any vehicle, elsewhere than on the road from Chingola to Chililabombwe, at a speed exceeding twenty-five miles an hour;
- (r) drives or causes to be driven any vehicle over any part of the Area where there is no road or parking place, or over any road or parking place which has been closed by the Conservancy by means of a fence, line of stones, ditch or other obstruction, or which is shown to be closed by a notice erected by the orders of the Conservancy;
- (s) encamps or resides elsewhere than on sites specifically set aside by the Conservancy for such purpose or otherwise than in accordance with such conditions as the Conservancy may from time to time impose;
- (t) unnecessarily causes or makes any noise or behaves in any other manner which is likely to disturb or cause annoyance to any other person:

Provided that this paragraph shall not apply to the noise necessarily made by the engine of any boat or craft.

5. Any person guilty of an offence against these By-laws shall be liable to a fine not exceeding seven hundred and fifty penalty units. General Penalty

(As amended by Act No. 13 of 1994)

## SECTION 49-THE NATIONAL MONUMENTS (ENTRY FEES) REGULATIONS.

Statutory Instrument  
181 of 1993  
Act No. 13 of 1994

Regulations by the Minister

1. These Regulations may be cited as the National Monuments (Entry Fees) Regulations. Title

2. Every vehicle or person entering a National Monument, camping, fishing, boating, commercial filming, video recording, exporting relics or affiliated to National Heritage Conservation Commission, shall pay to the Commission the appropriate fee set out in the Schedule hereto. Entry fees

### SCHEDULE

(Regulation 2)

### ENTRY FEES

1. Site	Resident Tourists		Non-Resident Tourists	
	Adult (above 18) Fee units	Child (below 18)	Adult (above 18) US\$ or equivalent	Child (below 18)
Railway Museum	5	2 per person per day	5 per person per day	
Field Museum	4	2 per person per day	2	1 per person per day
Chilenje House	3	1 per person per day	2	1 per person per day
Zambezi Source	3	1 per person per day	(as for locals)	
Kundalila Falls	3	1 per person per day	(as for locals)	
Kalambo Falls	3	1 per person per day	(as for locals)	
Nachikufu Cave	3	1 per person per day	(as for locals)	

Chishimba Falls	3	1 per person per day	(as for locals)		
Lumangwe Falls	3	1 per person per day	(as for locals)		
Ntumbachushi Falls	3	1 per person per day	(as for locals)		
State delegation/school parties on application					
child under 5 years	Free	Free	Free	Free	Free
Residents of falls area	Free	Free	Free	Free	Free
2. <i>Vehicle Entry fee:</i>					
Kalambo Falls	3 per day		Equivalent of local fees		
Kundalila Falls	3 per day		Equivalent of local fees		
Lake Kashiba	3 per day		Equivalent of local fees		
Chishimba Falls	3 per day		Equivalent of local fees		
Ntumbachushi Falls		3 per day		Equivalent of local	
fees					
Lumangwe Falls	3 per day		Equivalent of local fees		
Tour operator's vehicle		Free	Free	Free	Free
3. <i>Angling fee</i>					
Lake Kashiba	2 per day (1 per week)		(as for locals)		
4. <i>Boating fee:</i>					
Lake Kashiba	10 per day	(as for locals)	(as for locals)		
5. <i>Camping at:</i>					
Ntumbachushi, Kalambo, Kundalila, Chishimba Falls					
per night adult	10 per day		(as for locals)		
child (above 5 years)	5 per day			(as for locals)	
6. <i>Commercial Filming fee:</i>					
Railway Museum	3000		500		
7. <i>Video Recording fee:</i>					
Railway Museum	2		30		
8. <i>Camera photography:</i>					
all sites	Free	Free	Free	Free	Free
9. <i>Research Permits: Residents</i>					
(i) Affiliation	100		100		
(ii) Export	100		20		
(iii) Excavation/Collection	Free		50		
10. <i>Architect/Engineer/ Surveyors fees: as regulated for</i>					
				Free	
				(As amended by Act No. 13 of 1994)	

**SECTION 7-THE NATIONAL HERITAGE  
(COMMISSIONERS' ALLOWANCES) ORDER**

Statutory Instrument  
182 of 1993

Order by the Minister

1. This Order may be cited as the National Heritage (Commissioners' Allowances) Order. Title

2. The allowances payable to Commissioners shall be as set out in the Schedule hereto. Allowances

## SCHEDULE

(Regulation 2)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Person Entitled</i>	<i>Nature of Allowance</i>	<i>Rate Proposed</i>
Chairman	1. Annual Allowance	450,000
	2. Subsistence (per day)	25,000
	3. Sitting (per day)	25,000
	4. Kilometre or actual travel cost	as per GRZ prevailing rates
	5. Lunch Allowance	15,000
Deputy Chairman	1. Annual Allowance	350,000
	2. Subsistence (per day)	25,000
	3. Sitting (per day)	25,000
	4. Kilometre Allowance	as per GRZ prevailing rates
	5. Lunch Allowance	15,000
Commissioners	1. Annual Allowance	300,000
	2. Subsistence (per day)	25,000
	3. Sitting (per day)	20,000
	4. Kilometre Allowance	as per GRZ prevailing rates
	5. Lunch Allowance	15,000
Sub-Committee Members	As above	As above
Commissioners Non-Commissioners (co-opted)	1. Subsistence (per day)	20,000
	2. Sitting (per day)	15,000
	3. Kilometre Allowance	as per GRZ prevailing rates

## EXPLANATORY NOTES

1. Annual allowance is to be paid in arrears on a monthly basis.

2. Subsistence allowance is payable when a Commissioner is required to stay for one or more nights in any place other than his usual place of abode on Commission functions.

The number of nights to be spent on Commission business shall be determined by the Director in consultation with the Chairman.

Allowance only applies to a stay outside 32 kilometres from the Commissioner's abode.

A Commissioner who stays in a hotel at the Commission's expense shall not be entitled to this allowance.

3. Sitting allowance shall cover out of pocket expenses whilst attending any Commission meeting or business and it shall be payable on a daily basis during or in full after the session. A session shall not exceed three working days and shall exclude week ends and public holidays.

4. Kilometre allowance shall be payable to a Commissioner who uses his own vehicle whilst travelling on Commission business. Actual cost of travel by road or air can also be reimbursed or paid for.

5. Lunch allowance is payable where a Commissioner travelling on Commission business is away from his place of abode during lunch time or on occasions where the meeting does not involve an overnight stay away from place of abode.

Actual cost of lunch can also be refunded or paid for.