

CHAPTER 121

THE ZAMBIA NATIONAL SERVICE ACT

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CHAPTER 121

ZAMBIA NATIONAL SERVICE

35 of 1971

13 of 1994

An Act to make provision for the establishment, maintenance, government and discipline of the Zambia National Service; and to provide for matters incidental thereto or connected therewith.

[21st January, 1972]

PART I

PRELIMINARY

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

"appropriate authority" means the authority charged, in accordance with this Act, with responsibility for the matter in question:

Provided that the reference to appropriate authority in section *seventeen* and, in so far as it relates to persons seconded to the Service, in sections *eighteen* and *nineteen*, shall be construed as a reference to

such appropriate authority aforesaid acting with the concurrence of such person having authority in or over that part of the civil or military service of the Republic from which such person is seconded as may be appointed by the President;

"appropriate tribunal" means a commanding officer or a board consisting of not less than two senior officers appointed by the Commandant;

"Assistant Commandant" means a senior Serviceman in charge of a Wing at the Headquarters of the Service;

"citizen" means a citizen of Zambia;

"Commandant" means the Commandant of the Zambia National Service appointed under the provisions of section *twenty-one*;

"commanding officer" means a senior officer of the Service designated as such by rules made under section *twenty-three*;

"Defence Force" means the Defence Force of Zambia referred to in section *four* of the Defence Act; Cap. 106

"enlistment notice" means the enlistment notice provided for in section *eleven*;

"local authority" means-

- (a) a city council;
- (b) a municipal council; or
- (c) a township council; or
- (d) a district council:

Cap. 281

"member", in relation to the Service, includes a Serviceman enlisted or engaged under section *five* or *eleven*, a person seconded to the Service in accordance with the provisions of section *seventeen* and a person appointed to the permanent staff under section *six*;

"city council", "municipal council", "district council" and "township council" have the meanings assigned thereto in section *two* of the Local Government Act; Cap. 281

"national service register" means the register required to be kept by the Commandant under the provisions of section *eight*;

"postponement certificate" means a certificate which may be granted under the provisions of section *twelve*;

"Registrar" means the person appointed under section *eight* to keep the national service register;

"Regular Force" has the meaning assigned thereto in section *two* of the Defence Act; Cap. 106

"Service" means the Zambia National Service established under section *three*;

"Serviceman" means a member of the Service enlisted or engaged under section *five* or *eleven* or appointed to the permanent staff under section *six*.

PART II

ESTABLISHMENT OF THE ZAMBIA NATIONAL SERVICE

3. (3) There shall be established and maintained a service to be known as the Zambia National Service (hereinafter called "the Service").

Establishment of the Service

(2) The functions of the Service shall be the training of citizens to serve the Republic and the employment of its members in tasks of national importance and otherwise in the service and defence of the Republic.

(3) The Service shall organise and run such leadership and other courses for citizens as the Minister may, by statutory instrument, prescribe. The Minister may, in such statutory instrument, prescribe-

- (a) the duration of such courses;
- (b) the person or class of persons liable to attend such courses; and
- (c) matters incidental to or connected with such courses.

(4) The supreme command of the Service shall vest in the President and he shall hold the office of Commander-in-Chief of the Service.

(5) Subject to the provisions of this Act, the powers conferred on the President by subsection (4) shall include-

- (a) the power to determine the operational use of the Service;
- (b) the power to appoint members and to dismiss them.

(6) The President may, by direction in writing and subject to such conditions as he may think fit, delegate to the Minister, the Commandant or any other person any of the powers mentioned in subsection (5).

PART III

MEMBERS, SERVICEMEN, REGISTRATION, ENLISTMENT, ETC.

4. (1) The Service shall consist of such number of members as may, Membership of
from time to time, be determined by the President. the Service

(2) The members of the Service shall be-

- (a) persons who enlist voluntarily under section *five*;
- (b) persons who are enlisted under section *eleven*;
- (c) persons who are appointed to the permanent staff under section *six*; and

(d) persons in the civil or military service of the Republic who are seconded to the Service under section *seventeen*.

5. (1) The appropriate authority may enlist into the Service a male or Servicemen female citizen who, at the time of his first enlistment, is between the ages of eighteen and thirty-five years (both ages inclusive).

(2) Subject to the provisions of subsection (3), every citizen, whether enlisted voluntarily under subsection (1), or in consequence of an enlistment notice under section *eleven*, shall be enlisted to serve in the Service for a period of two years.

(3) A citizen who is a member of the class specified in the Second Schedule may-

(a) serve in the Service for a period of two years as provided in subsection (2); or

(b) in the case of a person to whom the provisions of paragraph (b) or (c) of the Second Schedule apply, serve in the Service for a period of three months during any vacation period and a further period of one month immediately after he ceases to be a student and thereafter, in lieu of serving in the Service, pay every month for a period of twenty months such proportion of his monthly total earnings as the Minister may by regulation prescribe; or

(c) serve in the Service for such period as the Minister may, by statutory instrument, prescribe and thereafter, in lieu of service with the Service, pay every month for the period which falls short of his two year period of service such proportion of his monthly total earnings as the Minister may by regulation prescribe.

(4) The Minister may, by statutory instrument, prescribe the proportion of monthly total earnings of a member of the class specified in the Second Schedule which is payable to the Service under paragraph (b) or (c) of subsection (3).

(5) After the completion of his engagement with the Service, under the provisions of subsection (2) or paragraph (a), (b) or (c) of

subsection (3), a Serviceman shall form part of the Home Guard as defined in any written law relating to the Home Guard (hereinafter referred to as "the Home Guard") and shall be liable to such duties as are provided in any written law applicable to a member of the Home Guard.

(6) A member may, during the period of his service, be seconded to any person, with the consent of such person, for the purpose of undergoing a period of apprenticeship in any business, trade, profession or vocation and the Minister may, by statutory instrument, prescribe terms and conditions of such apprenticeship.

(7) Every Serviceman shall, on first joining the Service, make the declaration set out in the First Schedule.

(8) For the purpose of subsection (6), a person includes the Government, a local authority or any company or association or body of persons, corporate or unincorporate.

6. (1) Notwithstanding the provisions of section *five*, appointments may be made to the permanent staff of the Service on terms other than those prescribed in the said section and a citizen appointed to the permanent staff shall, so long as he holds such appointment, be a Serviceman. Appointments to permanent staff

(2) Subject to the provisions of this section, power to appoint persons to hold or to act in any office in the permanent staff of the Service (including power to confirm appointments), to exercise disciplinary control over persons holding or acting in such offices and to remove such persons from office shall vest in the President.

(3) The President may, by directions in writing and subject to such conditions as he thinks fit, delegate any of his functions under subsection (2) to any person.

7. (1) Subject to the provisions of this Act, every citizen, male or female, who has attained the age of eighteen years and has not attained an age above thirty-five years and is a member of the class specified in the Second Schedule shall be liable to have his name entered in the Liability to be called up for the Service

national service register and to be called upon to serve in the Service in accordance with the provisions of this Act.

(2) The Minister may, by statutory instrument, add to, amend, vary or replace the Second Schedule.

(3) Notwithstanding the provisions of subsection (1), a citizen who is a member of the class specified in the Second Schedule shall not be liable to be called upon to serve in the Service so long as he is a student engaged in studies:

Provided that, for the purpose of this section, a student shall be deemed to be not engaged in studies during any vacation period and he may be called up for service during any such vacation period.

(4) For the purpose of this section and the Second Schedule, a student means a full-time student.

8. The Commandant shall be Registrar and he shall keep a register of persons who are liable under this Act to be called up for national service (in this Act referred to as "the national service register") and shall perform such other duties in connection with the said register and the enlistment of members of the Service as may be prescribed in this Act.

Appointment of
Registrar of
Service

9. (1) The Minister may, by statutory instrument, make rules in relation to the following matters:

Rules relating to
registration

(a) requiring the persons in charge of secondary schools or other educational or professional institutions to furnish to the Registrar particulars about students attending such schools or institutions who may be liable under this Act to be called up for the Service; and

(b) requiring persons whose names have been entered on the national service register to furnish to the Registrar such particulars as may be prescribed.

(2) Rules made under subsection (1) may make different provision in relation to different classes of persons subject to registration, and may

exclude provision for any class of persons subject to registration with respect to which the Minister is satisfied that sufficient particulars can be ascertained otherwise than by virtue of such rules.

10. (1) It shall be the duty of the Registrar to ensure that the names and particulars of persons liable under this Act to be called up for the Service received by him are entered in the national service register. Registration

(2) The Registrar shall from time to time make any necessary alteration to any entry therein and shall remove from the said register the name of every person who dies before being called up for the Service or who ceases to be liable to be called up for the Service.

(3) If at any time before being called up for the Service a person whose name is entered in the national service register changes his name or address, he shall forthwith notify the change to the Registrar and, if he fails to do so, he shall be guilty of an offence and on conviction liable to a fine not exceeding three hundred and fifty penalty units

(As amended by Act No. 13 of 1994)

11. (1) Every person who, upon the commencement of this Act, is, or at any later date becomes, liable to be called upon to serve in the Service in accordance with the provisions of this Act, shall, within three months of the commencement of this Act or his so becoming liable, as the case may be, present himself in person to such authority or person as may be prescribed by the Minister by statutory instrument to furnish his name and particulars for entering the same in the national service register. Obligation of persons liable to report and service of enlistment notice

(2) Any person who, being liable under this Act to be called upon to serve in the Service, fails without reasonable excuse to present himself in person to the authority or person prescribed under subsection (1) within the period specified in the said subsection shall be guilty of an offence against this Act and shall be liable on conviction to a fine not exceeding one thousand penalty units or to imprisonment for a term not exceeding three months, or to both.

(3) The Registrar may cause to be served on any person who is liable under this Act to be called up for the Service a written notice (in this Act referred to as "an enlistment notice") stating that he is called up for

the Service and requiring him to present himself at such place and time, and to such authority, as may be so specified in the notice; and, subject to this section, the person upon whom the notice is served shall be deemed, as from the day so specified in the notice, to have been duly enlisted in the Service and the period for which he is enlisted shall begin on the said day or such later day as he may in fact present himself for service.

(4) Where an enlistment notice has been served on any person, the Registrar may, at any time while that person remains liable under this Act to be called up for the Service, cancel the notice or cause to be served on him a further enlistment notice varying the original notice by altering the place or time at which he is thereby required to present himself.

(5) Where, at the beginning of the day specified in an enlistment notice or the day on which the person to whom the notice relates is thereby required to present himself, any of the following conditions is fulfilled, that is to say:

(a) a postponement certificate relating to him is in force; or

(b) any application or appeal made by him under section *twelve* is pending;

the enlistment notice served on him shall be of no effect.

(6) An enlistment notice served upon any person shall cease to have effect if before the day on which he is thereby required to present himself he ceases to be liable under this Act to be called up for the Service.

(7) There shall be paid to persons required to present themselves in accordance with enlistment notices served upon them, such travelling and other allowances as the Minister may, by statutory instrument, prescribe.

(8) Any person upon whom an enlistment notice has been served who, being liable to be called up for the Service, fails without reasonable excuse to present himself in accordance with the provisions of such notice shall be guilty of an offence against this Act and shall be liable

on conviction to a fine not exceeding one thousand penalty units or to imprisonment for a term not exceeding three months, or to both.

(9) A person who is not a citizen shall not enlist to serve in the Service.

(10) If a person who is not a citizen enlists in the Service or does not disclose his nationality when he presents himself for enlistment to the appropriate authority of the Service under the provisions of this Act, he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand penalty units or to imprisonment for a term not exceeding three months, or to both.

(As amended by Act No. 13 of 1994)

PART IV

POSTPONEMENT CERTIFICATE, NATIONAL SERVICE HARDSHIP COMMITTEE AND EXEMPTION

12. (1) Subject to this section, any person upon whom an enlistment Postponement notice has been served under section *eleven* or his employer may apply certificate in a prescribed manner for a certificate of postponement of liability under this Act to be called up for the Service (in this Act referred to as a "postponement certificate") on the ground that exceptional hardship would ensue if he were called up for the Service, and may, on that ground, apply in the prescribed manner for the renewal of any postponement certificate granted to him.

(2) Where application for a postponement certificate or for the renewal of a postponement certificate is made, that application shall be considered by a National Service Hardship Committee constituted under subsection (3).

(3) National Service Hardship Committees shall be appointed for such areas or regions as the Minister may determine and shall consist of a chairman and three other members all of whom shall be appointed by the Minister.

(4) An application for the grant of a postponement certificate may be made at any time after an enlistment notice has been served on the applicant but before the day specified in the notice as the day on which he is thereby required to present himself.

(5) An application for the renewal of a postponement certificate shall be made at least fourteen days before the expiration of the period for which that certificate was granted or last renewed.

13. An applicant for a postponement certificate or the renewal of a postponement certificate who is aggrieved by the determination of a National Service Hardship Committee may, in the prescribed manner, appeal to the Minister whose decision shall be final.

Appeals from determination of National Service Hardship Committee

14. (1) If, at any time while a postponement certificate is in force, it appears to the Registrar that, by reason of any change in the circumstances of the person to whom the certificate was granted, the certificate ought to be revoked or the period for which it was granted ought to be shortened, the Registrar may apply to the National Service Hardship Committee and the Committee may either refuse the application or cancel the certificate or vary it by shortening the said period.

Revocation of postponement certificate

(2) Where an application is made under subsection (1), the person to whom the postponement certificate in question was granted shall be entitled to be heard on the application, and if he is aggrieved by the determination of the National Service Hardship Committee, he may, in the prescribed manner, appeal to the Minister whose decision shall be final.

15. (1) The Registrar or any person authorised by him shall be entitled to be heard on any application before a National Service Hardship Committee.

Provisions as to National Service Hardship Committees

(2) No determination of an appeal to the Minister or any application to a National Service Hardship Committee or the determination thereof shall be questioned in any court of law.

16. The Minister may, by statutory instrument, exempt any person or any class of persons from liability under this Act to be called upon to serve in the Service. Exemption from liability

PART V

SECONDMENT TO THE SERVICE

17. (1) Any citizen who is in the civil or military service of the Republic may, if he so wishes and the appropriate authorities approve, be seconded for employment within the Service. Seconded members

(2) The period of secondment shall be such period as shall be agreed upon at the commencement of the employment, and, subject in each case to such limitations aforesaid, the secondment may, if the person seconded so wishes and the appropriate authorities so approve, be renewed from time to time.

(3) Where a person is first seconded for employment with the Service in any particular rank, he shall not thereafter be required to serve in any rank junior thereto without his consent, and if he can no longer be employed in the rank at which he was first seconded or in any rank senior thereto, his secondment shall, if he wishes, be forthwith terminated.

18. Notwithstanding the foregoing provisions of this Act but subject to the provisions of subsection (3) of section *seventeen*, any member of the Service whose engagement or secondment expires during a state of war, insurrection, hostility or public emergency may be retained in the Service and his engagement or secondment prolonged for such further period as the appropriate authorities, with the approval of the President direct. Prolongation of secondment

19. The appropriate authority may, at any time during the term of an engagement or period of secondment, discharge a member of the Service or terminate his secondment, as the case may be, if, for any reason, his services are no longer required. Discharge

PART VI

UNITS, COMMANDANT AND RANKS OF THE SERVICE

20. (1) The Service shall be divided into such numbers and Units of the descriptions of branches, units, sub-units, camps and settlements, as the Service Minister may from time to time direct.

(2) Subject to subsection (3), any Serviceman may be posted to and employed in any branch, unit, sub-unit, camp or settlement of the Service.

(3) Where a Serviceman is seconded specifically for a particular description of branch, unit, sub-unit, camp or settlement of the Service, he shall be posted only to a branch, unit, sub-unit, camp or settlement of that description.

21. The President may appoint an experienced member of the Service or an officer of the Regular Force to be the Commandant of the Service. Appointment of Commandant

22. (1) Subject to this Act and to the direction of the President and the Minister, the Commandant shall have the command, Powers of Commandant superintendence, direction and control of the Service.

(2) The Commandant may, subject to the general instructions of the Minister and to the provisions of this Act, from time to time make standing orders for the general government of Servicemen in relation to their training, arms, accoutrements, clothing, equipment, places of residence, classification and duties as well as their distribution and inspection and such other orders and instructions as he may deem expedient for preventing neglect and for promoting efficiency and discipline of Servicemen in the discharge of their duties.

(3) Save where a contrary intention appears, the Commandant may delegate to a Serviceman not below the rank of Assistant Commandant the duties, powers and functions vested in him by this Act or any other written law.

(4) The President may, in the event of the Commandant being for any reason absent, appoint another person to act as Commandant during the period of the Commandant's absence and the person so acting shall perform the functions of the Commandant under this Act.

23. (1) There shall be such other ranks of the Service as may be prescribed by rules made by the Minister under section *fifty*, and such rules- Ranks and administration

(a) shall prescribe the relative seniority of the various ranks; and

(b) may prescribe the authority or authorities in whom the power to make appointments or promotions to, or reduction from, such ranks shall be vested.

(2) The administration of the Service throughout Zambia shall be vested in the Commandant.

(3) The control of the Service in any branch, unit, sub-unit, camp or settlement shall be vested in such Serviceman as may be appointed, subject to the approval of the Minister, by the Commandant.

(4) A Serviceman in charge of a branch, unit, sub-unit, camp or settlement shall carry out the orders of the Commandant in all matters including discipline, internal administration and training of the Servicemen under his command.

PART VII

DUTIES AND EMPLOYMENT OF THE SERVICE

24. (1) Every member of the Service shall-

Duties of
Servicemen

(a) perform such duties and carry out such training as may be directed by the officers senior to or placed in command over him;

(b) obey and execute promptly all orders lawfully issued to him by the officers senior to or placed in command over him.

(2) Without prejudice to the generality of the foregoing provisions of this section, members of the Service may be trained in the use of arms and weapons of war.

25. (1) The President may, during a state of war, insurrection, hostility or public emergency or during any period when a declaration made under the Constitution has effect-

Employment of Servicemen in times of emergency

(a) call out the Service or any part or member thereof;

(b) order that the Service or any part thereof be employed to serve with the Defence Force or otherwise in the defence of the Republic.

(2) Where any part of the Service is, in pursuance of an order made under this section, serving with the Defence Force or otherwise in the defence of the Republic, it shall be governed by, and subject to, the Defence Act, and the members of the Service for the time being serving with such part shall be deemed to be subject to that Act, within the meaning of section *two hundred and six* thereof.

Cap. 106

(3) Where any part of the Service is, in pursuance of an order made under this section, serving with the Defence Force or otherwise in the defence of the Republic, the President shall make rules declaring which rank of the Service corresponds to which rank in the Defence Force and may make rules relating to the command of such part by members of the Defence Force.

26. (1) The President may, at any time, order such part or members of the Service as he may think fit to proceed for service to a friendly neighbouring State.

President may send Servicemen to friendly neighbouring States

(2) For the purpose of this section, "friendly neighbouring State" means any State having a common border and friendly relations with the Republic and any such other State as the President may declare to be a friendly neighbouring State.

(3) All the members of the Service serving outside the Republic under the provisions of this section shall be under the orders of their own superior officers, and shall, in so far as appertains to their terms and conditions of service and the maintenance of discipline, be subject to the provisions of this Act and shall, so far as is possible, perform duties of a like nature to those which they may be required to perform under this Act in Zambia, so however that, except as aforesaid, nothing in this section shall operate contrary to the general law for the time being in force in such friendly neighbouring State which shall apply to and be observed by such members of the Service.

PART VIII

EMPLOYER'S OBLIGATIONS

27. (1) If the employer of any person liable to be called up terminates his employment without his consent-

Prohibition of dismissal of employees by reason of liability for service

(a) after he is informed by the employee that an enlistment notice is served upon him under the provisions of section *eleven*; and

(b) does so solely or mainly by reason of any duties or liabilities which that employee is, or may become, liable to perform or discharge by reason of his being called up for the Service;

the employer shall be guilty of an offence and liable on conviction to a fine not exceeding five thousand penalty units or to imprisonment for a term not exceeding three months, and the court by which he is convicted may order him to pay to the employee, whose employment has been terminated, as compensation for any loss suffered or likely to be suffered by him by reason of the termination, a sum not exceeding an amount equal to three months' remuneration at the rate at which his remuneration was last payable to him by his employer.

(2) Save as provided in this section, an employer is not liable to pay to an employee any remuneration for the period during which the employee is serving in the Service.

(3) If a person in employment of the Government, a local authority or

an organisation prescribed under the provisions of subsection (4) is called up for the Service, the period during which he serves with the Service shall be treated as a period of service with his employer for all purposes, including his remuneration.

(4) The Minister may, by writing under his hand, prescribe any company or association or body of persons, corporate or unincorporate, in which the Government holds, directly or indirectly, shares or any other interest, as a prescribed organisation for the purpose of subsection (3).

(5) If an employee in employment of any person, other than the Government, a local authority or an organisation prescribed under the provisions of subsection (4), is serving in the Service pursuant to his being called up for the Service, the employer shall pay him for a period of three months, from the day he starts serving with the Service, his monthly remuneration at the rate at which his remuneration was last payable to him by the employer immediately before he commenced serving with the Service, and such period of three months shall be deemed as a period of service with his employer for all other purposes.

(6) For the purpose of subsection (1), an employer shall be deemed to have terminated his employee's employment in contravention of subsection (1) unless the employer shows a lawful reason for such termination of employment other than the reason mentioned in paragraph (b) of subsection (1).

(7) For the purpose of subsection (1), an employer means-

(a) in a case where the employing authority is a body corporate, the individual or group of individuals who is empowered to terminate and who has in fact terminated the employment of an employee; and

(b) in any other case, the individual who is empowered to terminate and has in fact terminated the employment of the employee.

(As amended by Act No. 13 of 1994)

PART IX

DISCIPLINE

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| <p>28. Disciplinary control over Servicemen shall be exercised as is provided in this Part.</p> | <p>Method of dealing with disciplinary matters</p> |
| <p>29. (1) A Serviceman below the rank of the Commandant commits an offence against discipline if he is guilty of-</p> | <p>Offences against discipline by Servicemen below the rank of Commandant</p> |
| <p>(a) disobedience to orders, that is to say, if he disobeys, or without good and sufficient cause omits or neglects to carry out any lawful order, written or otherwise;</p> | |
| <p>(b) insubordinate or oppressive conduct, that is to say, if he-</p> | |
| <p>(i) is disrespectful in word, act or demeanour to a Serviceman superior to him in rank;</p> | |
| <p>(ii) is oppressive or tyrannical in conduct towards a Serviceman inferior to him in rank;</p> | |
| <p>(iii) uses obscene, abusive or insulting language to any other Serviceman;</p> | |
| <p>(iv) assaults any other Serviceman;</p> | |
| <p>(v) wilfully or negligently makes any false complaint against any other Serviceman;</p> | |
| <p>(vi) fails to report any complaint or report made against any other Serviceman;</p> | |
| <p>(vii) talks or is inattentive or otherwise misbehaves himself on parade;</p> | |
| <p>(viii) being under arrest or in confinement, leaves or escapes from his arrest or confinement before he is set at liberty by proper authority;</p> | |
| <p>(ix) resists an escort whose duty it is to apprehend him or to have him in charge;</p> | |
| <p>(c) neglect of duty, that is to say, if he-</p> | |
| <p>(i) neglects, or without good and sufficient cause omits, promptly and diligently to attend to or carry out anything which it is his duty as a Serviceman to attend to or to carry out;</p> | |
| <p>(ii) idles or gossips or sits or lies down without reasonable cause</p> | |

when on duty;

- (iii) sleeps when on duty;
- (iv) fails to report any matter which it is his duty to report;
- (v) without reasonable cause omits to make any necessary entry in any official document, book or paper;
- (vi) refuses, or without good and sufficient cause omits to make or send a report or return which it is his duty to make or send;

(d) discreditable conduct, that is to say, if he acts in a disorderly manner, or in any manner prejudicial to discipline or likely to bring discredit on the reputation of the Service;

(e) absence without leave or being late for duty, that is to say, if he-

- (i) without reasonable cause or excuse is absent without leave from, or is late for, parade or other duty; or
- (ii) leaves without right of permission or lawful reason any service camp or quarters;

(f) falsehood or prevarication, that is to say, if he-

- (i) knowingly makes or signs any false statement in any official book or document;
- (ii) wilfully or negligently makes any false, misleading or inaccurate statement;
- (iii) without good and sufficient cause destroys or mutilates any official document or record, or alters or erases any entry therein;

(g) breach of confidence, that is to say, if he-

- (i) divulges any matter which it is his duty to keep secret;
- (ii) without proper authority communicates to the press, or to any unauthorised person any matter concerning the Service;
- (iii) without proper authority shows to any person outside the Service any book or written or printed document belonging to the Service;
- (iv) makes or joins in making any anonymous communication to a Serviceman superior in rank to him;
- (v) signs or circulates any petition or statement with regard to any matter concerning the Service, except through the proper channels of correspondence to the Commandant;
- (vi) calls or attends any unauthorised meeting to discuss any matter

concerning the Service;

(*h*) malingering, that is to say, if he feigns or exaggerates any sickness or injury with a view to evading duty;

(*i*) uncleanliness, that is to say, if he, while on duty, is without reasonable cause improperly dressed or dirty or untidy in his clothing or accoutrements;

(*j*) damage to property, that is to say, if he-

(i) wilfully or by carelessness causes any waste, loss or damage to any article of clothing or accoutrements, or to any book, document or other property belonging to the Service, issued to him or used by him or entrusted to his care;

(ii) fails to report any such loss or damage as aforesaid however caused;

(*k*) drunkenness, that is to say, if he, while on or off duty, is unfit for duty through the consumption of intoxicating liquor or drugs;

(*l*) entering licensed premises, that is to say, if he enters any public bar licensed for the sale of intoxicating liquor when on duty except when his presence is required there in the execution of his duty;

(*m*) discharging without orders or just cause any firearm which has been issued to him;

(*n*) neglecting or failing to report the fact that he is suffering from venereal or other contagious disease;

(*o*) any other act, conduct, disorder or neglect to the prejudice of good order and discipline not hereinbefore specified;

(*p*) conniving at or knowingly being an accessory to any offence against discipline under this Act.

(2) An offence against discipline under this section shall be inquired into, tried and determined and the offender shall be liable to suffer punishment, according to the degree and nature of the offence, in accordance with the provisions of this Part:

Provided that a Serviceman shall not be found guilty of an offence under paragraphs (c) (ii), (c) (iii) or (l) of subsection (1) unless it is proved that, at the time when the offence was committed, he was on a specific duty for which he was specifically detailed.

30. (1) Where it appears to a senior officer that there is a *prima facie* Procedure as to case against a Serviceman (hereinafter in this Act referred to as "the inquiries into defaulter") for an offence against discipline, he shall frame a charge or disciplinary charges against the defaulter. offences

(2) The senior officer aforesaid may-

(a) if he is not a commanding officer report the charge to his commanding officer, who may either proceed to hear the charge or charges himself or remit the case to another appropriate tribunal to hear the charge or charges; or

(b) if he is a commanding officer may proceed to hear the charge or charges himself or remit the case to another appropriate tribunal to hear the charge or charges.

(3) The defaulter shall be informed of the date and time at which he will be required to appear before the appropriate tribunal.

(4) The charge or charges shall first be read over to the defaulter who shall be required to plead guilty or not guilty to each charge separately, and the defaulter shall be afforded an opportunity to make a defence and adduce evidence for that purpose.

(5) At the conclusion of the hearing the appropriate tribunal may-

(a) give its finding forthwith and, if it finds the defaulter guilty of any of the charges against him or, if the defaulter has pleaded guilty thereto, may impose a punishment; or

(b) reserve its findings until a later date and, if it finds the defaulter guilty of any of the charges against him, may impose a punishment.

(6) The findings and punishment shall be recorded and communicated personally to the defaulter.

31. (1) Where the defaulter pleads or is found guilty but the appropriate tribunal considers that the offence warrants dismissal from the Service, it shall not make an award but- Disposition of serious offences

(a) if the appropriate tribunal is not a commanding officer, it shall send a report to the commanding officer of the defaulter together with a copy of the proceedings, its findings and the reasons therefor; or

(b) if the appropriate tribunal is a commanding officer, he shall send a report to the Commandant together with a copy of the proceedings, his findings and the reasons therefor.

(2) On receipt of a report and the other documents referred to in subsection (1), a commanding officer may-

(a) confirm all or any of the findings or substitute for any finding of the appropriate tribunal any other finding at which the tribunal could have arrived upon the evidence and refer the report and such other documents to the Commandant for the latter to impose a punishment; or

(b) quash any finding of guilt and acquit the defaulter in respect thereof or order a re-trial on such charge or charges as he may specify.

(3) On receipt of the report and such other documents as aforesaid, the Commandant may-

(a) confirm all or any of the findings or substitute for any finding of the appropriate tribunal or any finding substituted by the commanding officer any other finding at which the tribunal could have arrived upon the evidence and impose a punishment in relation thereto (in which case he shall notify the appropriate tribunal); or

(b) quash any finding of guilt and acquit the defaulter in respect thereof or order a re-trial on such charge or charges as he may specify.

(4) Notification of the findings and punishment shall be personally

communicated to the defaulter.

32. (1) One or more of the following punishments may be imposed Punishments by any appropriate tribunal upon a defaulter who has pleaded guilty or who has been found guilty of an offence against discipline:

- (a) reduction in rank;
- (b) confinement in a guardroom, or restriction to the confines of any camp or other area where a part of the Service is stationed, for not more than fourteen days;
- (c) a fine not exceeding thirty penalty units;
- (d) stoppage of allowance;
- (e) extra drills or parades;
- (f) dismissal from the Service.

(2) The Commandant may impose any punishment which an appropriate tribunal is competent to impose and, where a defaulter has pleaded guilty or has been found guilty of an offence against discipline, may dismiss the defaulter from the Service.

(As amended by Act No. 13 of 1994)

33. (1) Any Serviceman aggrieved by any finding of an appropriate Appeals tribunal or any award of an appropriate tribunal may, within seven days of the notification to him thereof, appeal to the Commandant in writing and the Commandant may quash, confirm or vary any finding of the appropriate tribunal or substitute therefor any finding at which the appropriate tribunal could have arrived upon the evidence, including any additional evidence which the Commandant, in his discretion, admits at the hearing of the appeal and may quash, confirm or remit any punishment imposed by the appropriate tribunal or may substitute therefor any punishment which the appropriate tribunal could have imposed.

(2) Where the Commandant hears any new evidence on appeal, he

shall give the appellant an opportunity of being present and putting questions to any witnesses so heard.

(3) Any Serviceman aggrieved by the finding or award of the Commandant under the provisions of subsection (1) of this section, or subsection (3) of section *thirty-one*, may, within fourteen days of the notification to him thereof, appeal to the President in writing and the President may confirm or vary any finding of the Commandant and may vary, remit or confirm any punishment imposed or confirmed by the Commandant and in all such cases the decision of the President shall be final.

(4) In every case in which an appeal is lodged, the punishment shall be suspended during the hearing of the appeal.

34. (1) All fines imposed on a defaulter in respect of offences against discipline under this Part may be recovered by stoppage of the defaulter's allowance due at the time of committing such offences and thereafter accruing due. Fines to be recovered by stoppage of allowance

(2) The amount of stoppage in respect of any punishment authorised by this Part shall be in the discretion of the appropriate tribunal by whom the punishment was imposed or subject to the discretion of the Commandant, but shall in no case exceed one-half of the monthly allowance of the defaulter and, whenever more than one order of stoppage is in force against the same Serviceman, so much only of his allowance shall be stopped as shall leave him a residue of at least one-half of his allowance.

(3) Where more than one order of stoppage is made upon the same Serviceman, the orders later in date shall if necessary be postponed as to their enforcement until the earlier orders have been discharged.

35. The Commandant or a commanding officer, where a charge alleging an offence against discipline or an offence against the Act has been laid or is about to be laid against a Serviceman, may suspend that Serviceman from the performance of his duties with the Service. Suspension of Serviceman

36. (1) Subject to subsection (2), every Serviceman shall be subject Servicemen

to the disciplinary code under the provisions of this Part.

subject to
disciplinary code

(2) A person seconded to the Service shall not be subject to the disciplinary code under the provisions of this Part but shall remain subject to the law, regulations, rules and orders governing that part of the service of the Republic from which he was seconded to the Service:

Provided that-

(i) nothing in this subsection shall preclude such a person from being proceeded against under any appropriate provision of any such law, regulation, rule or order for a dereliction of duty while seconded to the Service; and

(ii) nothing in this subsection shall preclude such a person from exercising any function under the disciplinary code or shall be construed as derogating from the status or authority attaching to the rank he holds.

37. (1) It shall not be lawful for any member of the Service to take active part in-

Active
participation in
trade union
forbidden

(a) any trade union, or any body or association affiliated to a trade union; or

(b) any body or association the objects of which, or one of the objects of which, is to control or influence conditions of employment in any trade or profession; or

(c) any body or association the object of which is to control or influence the pay, pensions or conditions of service of the Service.

(2) Any member of the Service who contravenes the provisions of this section shall be liable to be dismissed and shall forfeit any pay or allowances due to him.

(3) If any question arises as to whether any body is a trade union or association affiliated to a trade union or a body within the meaning of this section, the question shall be decided by the Minister whose decision shall be final and conclusive and shall not be questioned in any proceedings.

(4) For the purpose of this section, "trade union" has the same meaning as it has in the Labour and Industrial Relations Act or any law repealing and replacing the same. Cap. 269

PART X

MISCELLANEOUS OFFENCES

38. (1) Any member of the Service who takes part in a mutiny shall be guilty of an offence and shall be liable on conviction to a term of imprisonment not exceeding five years. Mutiny

(2) For the purpose of this section, "mutiny" means a combination between two or more members of the Service or between persons at least two of whom are members of the Service-

(a) to overthrow or resist lawful authority in the Service; or

(b) to disobey any such authority in such circumstances as to make the disobedience subversive of discipline.

39. (1) Any member who deserts from the Service shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five hundred penalty units or to imprisonment for a term not exceeding six months, or to both. Desertion

(2) No person shall be found guilty of the offence of desertion unless the court is satisfied that he intended not to return to the Service.

(As amended by Act No. 13 of 1994)

40. Any member who absents himself from duty without leave or reasonable cause for a period of twenty-one days shall be guilty of an Absence from duty

offence and shall be liable on conviction to the forfeiture of any pay and allowances due and payable to him.

41. Any person who-

Persons causing disaffection, etc.

(a) causes or attempts to cause or does any act calculated to cause disaffection amongst members of the Service; or

(b) induces or attempts to induce, or does any act calculated to induce, any member of the Service to desert or to commit any breach of discipline;

shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding five thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

(As amended by Act No. 13 of 1994)

42. (1) When a member of the Service ceases to belong to the Service, all powers and authority vested in him by or under this Act shall immediately cease and determine and he shall forthwith deliver up ammunition, accoutrements, clothing, uniforms and other appointments etc. which have been supplied to him or entrusted to his care and which are the property of the Republic.

Offences relating to arms,

ammunition, accoutrements, clothing, uniforms and other appointments etc.

(2) Any member of the Service who, having ceased to belong to the Service, fails to deliver up any arms, ammunition, accoutrements, clothing, uniforms or other appointments as required by this section shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding two thousand penalty units or to imprisonment for a term not exceeding three months, or to both.

(3) Any person, not being a member, who is found in possession of any arms, ammunition, accoutrements, clothing, uniforms or other appointments belonging to the Service and who fails to account satisfactorily for his lawful possession thereof shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding five thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

(4) Any person who, without lawful authority-

(a) sells or otherwise disposes of, or purchases or otherwise acquires, anything which has been supplied to, or is intended for supply to, a member for use in the execution of his duty; or

(b) aids or abets any person in selling or disposing of or purchasing or acquiring any such thing;

shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding five thousand penalty units or to imprisonment for a term not exceeding six months.

(As amended by Act No. 13 of 1994)

43. Nothing in this Act shall exempt any person from being proceeded against under any other written law in respect of any offence made punishable by this Act, or from being liable under any written law to other or higher penalty or punishment than is provided for such offence by this Act: Power to prosecute under other written law not affected

Provided that no person shall be punished twice for the same offence.

PART XI

ADVISORY COMMITTEE

44. (1) There shall be a Zambia National Service Advisory Committee (hereinafter referred to as "the Advisory Committee") which shall advise the Minister on such matters of policy and matters affecting the command, discipline and administration of the Service as may be referred to it, from time to time, by the Minister. Establishment of the Zambia National Service Advisory Committee

(2) The President may appoint such number of members of the Advisory Committee as he deems fit.

(3) A member of the Advisory Committee shall be appointed by virtue of the office he holds and not in his individual capacity.

PART XII

FINANCE

45. Any expenditure incurred for the establishment, maintenance and operation of the Service under the provisions of this Act shall be charged on the general revenues of the Republic. Finance

46. (1) Any acts done and expenses incurred, before the date of the establishment of the Service, by the Minister or by any person or body authorised by the Minister so to do on behalf of the Republic (which they or any of them are hereby empowered and shall be deemed always to have been empowered so to do) in connection with the establishment of the Service shall be deemed to have the same effect and validity as if the Service had been in existence when the acts were done or expenses incurred and as if such acts has been done and such expenses incurred by the Government for the Service. Validation of acts done and contracts made before the establishment of the service

(2) Where, before the establishment of the Service, any contract had been entered into by the Minister or by any person or body authorised by the Minister so to do for the benefit, use or purposes of the Service (which they or any of them are hereby empowered and shall be deemed always to have been empowered so to do) and any other person-

(a) for the employment of that person in any capacity relating to the exercise and performance of the functions of the Service; or

(b) for the provision of machinery, equipment, plant, buildings, housing or services to be used for the purposes of the Service; or

(c) relating to the exercise and performance of the functions of the Service;

then any such contract shall have effect and be enforceable in the same manner as if the Service had been in existence at the date of the contract and the Government had been a party thereto in the place of the Minister or person or body who entered into the contract in the circumstances mentioned in this section.

(3) As from the date of the establishment of the Service, any such contract as is mentioned in subsection (2) shall not be enforceable against the Minister or person or body who entered into the contract on behalf of the Service, and the Minister, person or body is hereby released from all liability under the contract.

(4) This section shall have effect notwithstanding any other provisions of this Act and notwithstanding that this Act had not been enacted at the time when the acts were done or the expenses were incurred or the contracts were entered into.

47. (1) The Minister may, by statutory instrument, prescribe the pay, Allowances allowances or gratuities payable to members.

(2) Different provisions may be made under subsection (1) for different classes of members.

PART XIII

PENSIONS AND GRATUITIES

48. (1) The President may, by statutory instrument, make regulations Prescriptions and prescribing the payment of pensions or gratuities in respect of service gratuities of the Servicemen or any of them.

(2) Without prejudice to the generality of subsection (1), such regulations may prescribe-

(a) the conditions under which pensions or gratuities may be paid, the period of service qualifying for, and the methods of payment of, pensions or gratuities;

(b) the payment of pensions or gratuities to the Servicemen who become incapacitated for service by sickness, accident or disability incurred in the discharge of their duties, and the payment of gratuities to the Servicemen who otherwise become incapacitated for service;

(c) the conditions under which a pension or gratuity may be paid to or for the benefit of any relative or dependant of a Serviceman who dies from sickness, accident, or disability contracted in the discharge of his duty or who dies while serving in the Service;

(d) that pensions or gratuities shall be liable to forfeiture or non-payment for misconduct.

(3) Notwithstanding anything to the contrary contained in the Public Service Pensions Act, the President may, by statutory instrument, provide that all or any of the provisions of the said Act with such modification as he may prescribe, shall apply in relation to the Servicemen or any of them. Cap. 260

PART XIV

MISCELLANEOUS PROVISIONS

49. Notwithstanding anything contained in any other written law, a member when on duty shall be deemed to be a workman, and the Government shall be deemed to be the employer of such member for the purposes of the Workers' Compensation Act. Member deemed to be a workman. Cap. 271

50. (1) The Minister may, by statutory instrument, make regulations, rules and orders for the better carrying out of the provisions of this Act and the general administration of the Service. Regulations, rules and orders

(2) Without prejudice to the generality of subsection (1), such regulations, rules or orders may relate to the following matters:

- (a) prescribing anything which under this Act may or is to be prescribed;
- (b) the establishment, organisation and distribution of the Service, the conditions of appointment and service and the various ranks and appointments therein;
- (c) the duties to be performed by members and their guidance in the discharge of such duties;
- (d) the allowances payable to members;
- (e) the description and issue of arms, ammunition, accoutrements, uniforms, emblems and badges of rank;
- (f) the conditions governing resignation, dismissal, discharge, reduction in rank or reversions of members;

- (g) leave conditions of the Service;
- (h) the issue in specified circumstances of fresh postponement certificates in place of certificates which have been lost, destroyed or defaced;
- (i) the principles to be applied and the circumstances to which regard is and is not to be had, on the hearing of any application for the grant, renewal, cancellation or variation of a postponement certificate;
- (j) generally for the good order and administration of the Service.

(3) Subject to the provisions of this Act, regulations, rules or orders made under the provisions of this section may, subject to any restrictions or exceptions therein contained, empower the Commandant and other members of the Service having command of any branch, unit, sub-unit, camp or settlement of the Service to make general, special, routine and standing orders with respect to all or any of the following matters, that is to say:

- (a) the discipline, good order and guidance of the branch, unit, sub-unit, camp or settlement under his command;
- (b) the organisation and duties of the branch, unit, sub-unit, camp or settlement under his command;
- (c) the distribution, posting, transfer, attachment and inspection of personnel; and
- (d) the description, supply, use and disposal of arms, accoutrements, clothing, uniforms and other stores.

PART XV

DISSOLUTION OF ZAMBIA YOUTH SERVICE BOARD

51. In this Part, unless the context otherwise requires-

Interpretation

"Board" means the Zambia Youth Service Board established under

Cap. 143

section *four* of the Zambia Youth Service Act.

52. (1) From the commencement of this Act the Board shall exist for the purpose of winding up its affairs and for no other purpose. Winding up of affairs of the Board

(2) Notwithstanding anything to the contrary contained in the Zambia Youth Service Act or any other written law, the Board shall have, for the purpose of winding up its affairs, power to do anything which is necessary or expedient for that purpose or is incidental thereto, including in particular, but without prejudice to the generality of that power, power to enter into and carry out agreements and arrangements for the transfer of its property, rights, liabilities and obligations to any person or the Government. Cap. 143

(3) The Minister may issue to the Board directions in respect of the exercise of powers under subsection (2) and the Board shall act in accordance with such directions.

(4) When the Minister is satisfied that all necessary agreements and arrangements have been made for the winding up of the Board so that it may be dissolved, he may, by statutory instrument, order that the Board shall be dissolved on such date as may be appointed in the statutory instrument (in this Part referred to as "the appointed date").

53. Upon the dissolution of the Board pursuant to section *fifty-two*- Vesting of lands and personal

(a) all lands, leaseholds, estates, tenancies, interests or rights in, to, over or arising out of the ownership, possession or occupation thereof which were subsisting immediately prior to the said dissolution and were vested in, held or enjoyed by the Board shall, by virtue of this section and without further assurance, be transferred to and vested in the Government to the extent of the title of the Board therein, subject however to any mortgages, charges, leaseholds, tenancies or other rights, legal or equitable, subsisting in any other person in, to, over or arising out of such property at the date of the said dissolution; and personal property in, and transfer of contractual and other rights and liabilities to, the Government

(b) all personal property and all rights in, to, over or arising out of the ownership or possession of such property which were subsisting immediately prior to such dissolution and were vested in, held or enjoyed by the Board, shall, by virtue of this section and without further act, be transferred to and vested in the Government to the extent of the title of the Board therein, subject however to any rights or

interests, legal or equitable, subsisting in any other person in, to, over or arising out of such personal property on the date of the said dissolution;

(c) the benefits of all deeds, contracts (other than contracts of personal services), bonds, shares, securities, or things in action which were subsisting immediately prior to such dissolution and were vested in the Board shall, by virtue of this section and without further act, endorsement or document of transfer, be transferred to and vested in, and shall ensure to the benefit of the Government in the same manner as if the Government had been a party to such deeds, contracts, bonds, shares or securities instead of the Board, and in the same manner as if the Government at all times had been entitled to the benefit of all such things in action instead of the Board, subject however to any rights, interest or claims, legal and equitable, subsisting in any other person, in, to, over or arising out of, or in respect of, any such deeds, contracts, bonds, shares, securities, or things in action on the date of the said dissolution;

(d) all subsisting and future liabilities or obligations arising out of any deed, contract (other than a contract for personal service), bond, share, security or thing in action, and all such liabilities in tort, imposed upon, suffered or incurred by the Board shall, by virtue of this section, be transferred to, imposed upon, suffered and incurred by the Government, in the same manner as if the Government had been a party to each such deed, contract, bond, share or other security instead of the Board, and in the same manner as if the Government at all times had been the party bound or obliged by or under each such thing in action or liable by reason of each tort instead of the Board.

54. Whenever in pursuance of the provisions of this Part, any property, rights, liabilities or obligations of the Board are transferred by it in respect of the transfer of which any written law provides for registration, it shall be the duty of the Board to make an application in writing to the proper officer of the appropriate registration authority for the registration of such transfer and it shall be the duty of such officer to make such entries in the appropriate register as shall give effect to such transfer and, where appropriate, to issue to the transferee concerned a Certificate of Title in respect of the said property or to make necessary amendments to the appropriate register, as the case may be, and if presented therefor, to make endorsements on the deeds relating to the title, right or obligation concerned; and no registration fees, stamp duty or other duties shall be payable in respect thereof.

55. Where anything has been commenced by or under the authority of the Board, the completion of such thing shall be deemed to be completed by the Board.

of the Board prior to the date of its dissolution and such thing was done acts in relation to any property, real or personal, deeds or other rights or liabilities transferred by virtue of this Part to the Government, such thing may be carried on and completed by the Government instead of the Board in like manner and to the same extent as such thing might have been carried on and completed, but for the provisions of this Part, by the Board.

56. (1) Where any person who was in the service of the Board immediately before the date of its dissolution agrees to transfer from that service to the employment of the Service, he shall, so long as he continues in such employment and until he is served by the Service with a statement in writing offering new terms and conditions of employment, enjoy such terms and conditions of employment with the Service as are, in aggregate, not less favourable than he enjoyed immediately before the date of the dissolution of the Board, and his service with the Board shall be treated as service with the Service for the purpose of determining rights to or eligibility for pension, gratuity, leave pay and travel fare in respect of his service.

Terms of service of employees of the Board transferred to the Services

(2) The new terms and conditions offered under the provisions of subsection (1) to a person who is required to perform duties reasonably comparable to the duties performed by him immediately before he transferred his employment to the Service shall be no less favourable than those enjoyed by him, while in the employment of the Board.

57. The units raised, established and maintained and the persons enlisted or appointed, before the enactment of this Act, by the Government for the purpose of an organisation named the National Service shall, from the commencement of this Act, be deemed to have been raised, established, maintained, enlisted or appointed under this Act.

Transitional provisions

58. The Zambia Youth Service Act is hereby repealed from such date as the Minister may, by statutory instrument, appoint.

Repeal. Cap. 232 of the 1971 edition

FIRST SCHEDULE

(Section 5)

THE ZAMBIA NATIONAL SERVICE ACT

DECLARATION

I,.....*do swear by Almighty God/do solemnly and sincerely declare and affirm that I will be faithful and bear true allegiance to the President of the Republic of Zambia, that during my service with the Zambia National Service I will preserve, protect and defend the Constitution of Zambia, as by law established, and will obey all lawful orders of the President and of all officers placed over me and will subject myself to all written law relating to the said Service.

.....
Signature or Thumbprint of Serviceman

*Sworn or Declared and Affirmed at
this

day of, 19..... Before
me

(Signature of Magistrate or Superior Serviceman)

* Delete whichever is not applicable.

SECOND SCHEDULE

(Sections 5 and 7)

CLASS OF PERSONS LIABLE TO BE CALLED UP FOR THE SERVICE

Every citizen who-

- (a) has, on or after the commencement of this Act, completed in the Republic or elsewhere an academic year in Form V or its equivalent and ceases to be a student; or
- (b) has enrolled or who enrolls as a student, either before or after the commencement of this Act, at any University or University College in the Republic or elsewhere; or
- (c) having completed an academic year in a Form not lower than Form V or its equivalent, has enrolled or enrolls as a student, either before or after the commencement of this Act, at any of the institutions prescribed by the Minister for this purpose;

and who is not a person exempted under section *sixteen*, shall be the class of persons liable to be called up to serve in the Zambia National Service.

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*Statutory
Instrument
2 of 1973
128 of 1985*

PART I PRELIMINARY

1. These Regulations may be cited as the National Service (General) Title Regulations.

2. In these Regulations, unless the context otherwise requires- Interpretation

"Act" means the Zambia National Service Act. Cap. 121

"Hardship Committee" means the National Service Hardship Committee appointed under section *twelve* of the Act;

"Service" means the Zambia National Service established under section *three* of the Act;

"register" means the National Service register required to be kept by the Registrar under the provisions of section *eight* of the Act.

PART II

REGISTRATION

3. (1) The Registrar shall keep a National Service register and shall cause to be entered therein the names and such other particulars, as he may deem necessary, of persons liable under the Act to be called up for the Service. National Service register

(2) A person who becomes liable to be called upon to serve in the Service shall within three months of his so becoming liable report in

person to the District Executive Secretary of the District in which he resides and furnish his names and such other particulars as may be required for entering the same in the register.

(3) A citizen who wishes to be enlisted voluntarily under the provisions of subsection (1) of section *five* of the Act shall furnish to the office of the District Executive Secretary of the District in which he resides, his names and such other particulars as may be required for entering the same in the register.

(4) The heads of Secondary Schools shall furnish to the Registrar the names of, and such other particulars as may be required by the Registrar relating to, the students leaving such schools after completing Form V or its equivalent.

(5) The institutions mentioned in the First Schedule hereto are hereby prescribed for the purposes of paragraph (c) of the Second Schedule to the Act.

(6) The Registrar of the University of Zambia and the heads of the institutions mentioned in the First Schedule hereto shall furnish to the Registrar the names of, and such other particulars as may be required by the Registrar relating to, the students attending the University or institutions mentioned in the First Schedule hereto.

(7) The Secretary of the Bursaries Committee of the Government and the Director of Civil Service Training shall furnish to the Registrar the names of, and such other particulars as may be required by the Registrar relating to, the students on the list of students receiving bursaries and studying outside Zambia.

PART III

ENLISTMENT NOTICE

4. (1) The Registrar may cause to be served on any person who is liable to be called up for the Service under the Act a written notice (hereinafter called "enlistment notice").

Enlistment notice

(2) The enlistment notice shall be in the form prescribed in the Second Schedule hereto and shall be issued not less than one month before the person is called up for the Service.

(3) In a case where transport is not provided by the Service, there shall be paid to a person required to present himself in accordance with an enlistment notice served upon him, such cheapest bus or train fare, from his usual place of residence to the place where he is required to present himself, as he may have actually paid.

5. (1) Any person upon whom an enlistment notice has been served or his employer may apply to the Hardship Committee for a postponement certificate or a renewal of postponement certificate, as the case may be, in the form prescribed in the Third Schedule. Postponement certificate

(2) In determining an application for the grant or renewal of a postponement certificate regard shall be had to such matters as may be mentioned in the application.

Appeal to the Minister

6. A person aggrieved by the determination of a Hardship Committee may appeal to the Minister in the form prescribed in the Fourth Schedule hereto.

PART IV

NATIONAL SERVICE HARDSHIP COMMITTEES

7. (1) A Hardship Committee shall be established in each district of Zambia. National Service
Hardship
Committees

(2) A Hardship Committee shall consist of the District Executive Secretary who shall be the Chairman of the Committee and three other members appointed by the Minister on the recommendation of the Cabinet Minister for the Province.

(3) A Hardship Committee shall meet as often as the Chairman considers necessary for the disposal of applications for postponement certificates or renewals thereof:

Provided that it shall meet not less than three times in a year.

(4) At any meeting of a Hardship Committee, three members shall constitute a quorum.

(5) If the District Executive Secretary is absent at any meeting of a Hardship Committee, the members present shall elect one of them as Chairman of the meeting.

(6) Each member of a Hardship Committee shall have one vote at any meeting of the Committee and the Chairman shall have a casting vote in addition to a deliberate vote.

(7) The Assistant District Executive Secretary of the District for which a Hardship Committee is established shall be the Secretary of the Hardship Committee, but he shall not be considered a member of the Hardship Committee.

(8) An application for a postponement certificate or for a renewal thereof shall be sent to the office of the District Secretary.

(9) A person who is-

(a) mentally ill; or

(b) blind; or

(c) physically handicapped; or

(d) serving a sentence of imprisonment or is in detention;
shall during the period of any of the disabilities mentioned in

paragraphs (a) to (d), be exempt from liability under the Act to be called up for the Service.

PART V

TRAINING IN SERVICE

8. (1) The Service may offer to the Servicemen the following training, that is to say- Training

Training

- (a) military training;
- (b) training in agriculture;
- (c) training in trades and skills;
- (d) political education;
- (e) training in culture of Zambia; and
- (f) any other training which the Commandant may consider necessary.

(2) Training mentioned in paragraphs (a), (b) and (e) of sub-regulation (1) shall be given to all Servicemen.

9. (1) A leadership course of thirty days shall be organised and run by the Service. Leadership course

(2) The following classes of persons shall be eligible to join a leadership course:

- (a) Cabinet Ministers;

- (b) Deputy Ministers;
- (c) Members of the National Assembly;
- (d) District Executive Secretaries;
- (e) Public officers of and above the rank of Assistant Secretary;
- (f) Councillors of a council as defined in the Local Government Act; Cap. 281
- (g) Heads of the institutions mentioned in the First Schedule hereto and heads of all secondary schools in Zambia;
- (h) such senior members of the staff of any company or association or body of persons, corporate or unincorporate in which the Government holds, directly or indirectly, any shares or any other interest as may be nominated by such company or association, or body of persons in consultation with the Commandant.

(3) The Commandant shall in consultation with the persons mentioned in sub-regulation (2) make arrangements for them to attend the leadership course mentioned in sub-regulation (1) at such places and times as may be found mutually convenient.

- 10.** A Serviceman shall be deemed not to be serving with the Service during any period-
- (a) when he is serving a sentence of imprisonment; or
 - (b) when he is absent without leave; or
 - (c) before he first presents himself pursuant to an enlistment notice.
- Period not counted as service

PART VI

GENERAL PROVISIONS

- 11.** There shall be paid to a Serviceman who is not in receipt of any other income for or during the period he spends with the Service a monthly allowance of K6.
- Servicemen's monthly allowance

12. (1) There shall be maintained in the register a record of every Serviceman as follows:

Record of
Servicemen

- (a) a photograph with his signature endorsed on it;
- (b) name, address and other particulars;
- (c) progress report;
- (d) leave of absence;
- (e) sick leave;
- (f) character; and
- (g) distinction obtained.

(2) When a Serviceman completes satisfactorily his period of service in accordance with the provisions of the Act, he shall be issued with a certificate to that effect.

13. The proportion of monthly total earning which a member is required to pay the Service under subsection (4) of section *five* of the Act is ten per centum of his monthly total earning.

Proportion of
monthly total
earning
prescribed under
section 5 (4)

14. The Registrar shall provide in writing the Commander of the Home Guard with the names of, and such other particulars as the Commander may require of, all Servicemen who complete their engagement with the Service under the provisions of subsection (2) or paragraph (a), (b) or (c) of subsection (3) of section *five* of the Act.

Registrar's duty
to notify the
Commander of
the Home Guard

PART VII

BRANCHES, CAMPS, UNITS AND RANKS IN THE SERVICE

15. (1) The Service shall have the following branches at its Headquarters:

Branches and
units of the
Service

- (a) the Administrative Branch;
- (b) the Training Branch;
- (c) the Political Education Branch;
- (d) the Development Branch; and
- (e) the Finance Branch.

(2) The Service shall operate the following camps:

- (a) the National Service Training Camp;
- (b) the National Service Production Camp.

(3) The National Service Training Camp shall be divided into the following units:

- (a) the Military Training Unit;
- (b) the Administrative Unit;
- (c) the Skills Training Unit;
- (d) the Agricultural Unit; and
- (e) the Cultural Unit.

(4) The National Service Production Camp shall be divided into the following units:

- (a) the Agricultural Unit;

- (b) the Administrative Unit;
- (c) the Cultural Unit; and
- (d) the Operational Unit.

16. (1) Ranks in the Service shall be as follows and the relative Ranks in the seniority of a rank shall be in the order in which it is mentioned herein: Service

(a) *Commissioned Officers:*

- (i) the Commandant;
- (ii) the Chief Master;
- (iii) Senior Master;
- (iv) Assistant Senior Master;
- (v) Master;
- (vi) Assistant Master;
- (vii) Junior Master;

(b) *Non-Commissioned Officers:*

- (i) Chief Prefect;
- (ii) Prefect;
- (iii) Assistant Prefect;
- (iv) Cadet Prefect;

(c) *Others:*

Serviceman.

(2) Appointments, promotion or demotion of an officer of the Service to a rank mentioned in paragraph (a) of sub-regulation (1) shall be made by the President on the advice of the Minister.

(3) Appointments, promotion or demotion of an officer of the Service to a rank of Chief Prefect or below shall be made by the Minister on the recommendation of the Commandant.

PART VIII

UNIFORMS, WEAPONS AND OTHER MILITARY STORES

17. In these Regulations unless the context otherwise requires "uniform" means the dress for a class of Servicemen, approved by the Zambia National Service Advisory Committee. Interpretation

18. (1) The Commandant may issue to Servicemen uniforms, weapons and other necessary articles for the due discharge of their duties. Uniforms, weapons, etc.

(2) A Serviceman shall wear uniform at all times except-

(a) on public holidays or when on leave of absence;

(b) when he is permitted or required by his superior officer to wear clothes other than uniform.

(3) On termination of his engagement with the Service, a Serviceman shall deliver to such person or authority as his superior officer directs him all uniforms, weapons and other things issued to him by the Service or any person on behalf of the Service.

(4) A Serviceman shall be issued with an identity card bearing his photograph.

PART IX

STAFF REGULATIONS

19. (1) Every person who is appointed to a post in the permanent staff of the Service and not engaged on a temporary basis will be appointed initially on probation. Probation period

(2) The minimum probation period for any Serviceman to be served will be six months from the date on which the Serviceman takes up his duty on first appointment.

(3) After completing the period of six months' probation, a Serviceman whose service has been satisfactory will be confirmed in his appointment on a direction of the Commandant to that effect.

(4) On confirmation, a Serviceman shall be considered an established Serviceman.

20. (1) The Minister, in consultation with the Zambia National Service Advisory Committee may determine from time to time the salary scale applicable to Servicemen. Salary scale

(2) The annual increment in the salary of a Serviceman will be dependent on a satisfactory report of his superior officer.

21. (1) A Serviceman shall not resign or be retired or discharged without due notice or payment of salary in lieu thereof as prescribed in this regulation. Resignation, discharge or retirement

(2) A Serviceman may resign after giving-

(a) in the case of an established Serviceman, two month's notice; or

(b) in the case of a Serviceman on probation, one months' notice.

(3) The Service may discharge, dismiss or retire a Serviceman on giving-

(a) in the case of an established Serviceman, two months' notice; or

(b) in the case of a Serviceman on probation, one month's notice.

(4) In lieu of giving due notice under sub-regulation (1) or (2), a

payment equivalent to the salary for the notice period may be paid.

(5) On termination of appointment of a Serviceman, other than by way of dismissal, a Serviceman shall be given a certificate of service by the Commandant.

22. (1) A Serviceman may be provided with free living quarters. Housing

(2) A Serviceman who is absent from his station, whether on leave or otherwise, may retain his living quarters for such period as the Commandant or a person authorised by him may direct.

(3) Where a Serviceman uses water and electricity at his living quarters, he shall pay-

(a) any water charges that becomes payable in excess of K6 per month; and

(b) any electricity charges that becomes payable in excess of K10 per month.

23. (1) Subject to the exigencies of the Service a Serviceman will qualify for leave at the following rates for each month of qualifying service: Leave

(a) Commissioned Officers 3 days;

(b) Non-Commissioned Officers $2\frac{1}{2}$ days;

(c) any Serviceman other than those mentioned in paragraphs (a) and (b) $1\frac{1}{2}$ days.

(2) Leave may not be accumulated in excess of-

(a) in the case of a Commissioned Officer 210 days;

(b) in any other case 150 days:

Provided that where a Serviceman applies for leave and his application is not approved because of the needs of the Service, he may be permitted to accumulate leave in excess of the limits prescribed in paragraph (a) or (b), as the case may be.

(3) A Serviceman who has been granted leave may be required to return before his leave period expires if the Commandant so directs.

(4) For the purpose of this regulation, qualifying service means time spent on duty or on sick leave with full pay. A Serviceman's first period of qualifying service will begin on the day he takes up duty. Subsequent periods of qualifying service will begin on the day he returns to duty after each period of leave of thirty days or more.

(5) A Serviceman may be granted sick leave-

(a) when he is ill or injured if-

(i) the illness or injury prevents him from carrying out his duties; and

(ii) the illness or injury was not caused by his own conduct or by his failure to take reasonable precautions;

(b) if he has had dental treatment;

(c) when due to illness or injury he is confined to his house or to a hospital or similar institution for a period not less than fourteen days whilst on leave.

(6) A Serviceman may be granted not more than 180 days sick leave on full salary and 180 days sick leave on half salary in any period of two years ending on the final day of the sick leave granted him.

(7) A Serviceman shall without undue delay inform his superior officer of his being unable to perform his duties because of illness or injury.

(8) Study leave may be granted to a Serviceman who-

- (a) is nominated by the Service to attend a course of study;
- (b) attends a course of study at his own request, with the approval of the Service which approval will be given if it appears that the additional training or qualification which the Serviceman will obtain is of value to the Service; or
- (c) is granted a bursary or other award to follow a course of study.

(9) If paid study leave is granted to a Serviceman in receipt of a bursary or other award, his salary for the study period will be reduced by an amount equivalent to the value of the bursary or other award.

(10) A Serviceman proceeding on leave for thirty days or more shall be entitled to travel benefits for himself, wife and dependants under the age of eighteen years, if any.

(11) A Serviceman who goes on not less than thirty days leave may, also, if he chooses, commute for cash not less than thirty days nor more than eighty days of his remaining accumulated leave.

(12) When a Serviceman commutes leave for cash the commutation payment will be calculated at the full rate of his salary as on the first day of his leave.

(13) Notwithstanding the provisions of sub-regulation (1), the Commandant may authorise commutation of leave for cash in the case of a Serviceman who could not be granted leave for thirty days or more due to exigency of the Service.

(14) Casual leave on full pay may be granted to a Serviceman-

- (a) for the purpose of attending to domestic problems;
- (b) for sitting an examination;
- (c) attending court when required to do so.

(15) A married woman in the Service shall be entitled to a paid maternity leave of ninety days.

24. (1) A Serviceman shall be eligible for free transport for himself, his wife and children under the age of eighteen years, when he travels from home to his station either on vacation leave or on retirement as follows:

		<i>Rail</i>	<i>Motor Bus</i>
(a)	Serviceman whose annual salary is more than K2,900	First Class	First Class
(b)	Serviceman whose annual salary is less than K2,900	Second Class	Second Class

(2) The maximum free transport of baggage of a Serviceman travelling from his home to station on first appointment, from station to station on transfer and from station to his home on retirement or on vacation leave shall be as follows:

Commissioned Officer	..	..	..	2,500 kg
Non-Commissioned Officer	..	..	..	1,000 kg

(3) An upset allowance shall be paid to a Serviceman who is transferred, for reasons other than disciplinary reasons, from one station to another station at the following rates:

<i>Serviceman</i>				<i>Rate</i>
Single	..	..	..	K20
Married	..	..	..	K40

(4) A Serviceman shall be paid a subsistence allowance of K8 per day when he is out of the station on duty.

(5) A Serviceman who is acting in any rank of or above an Assistant Master shall be eligible to receive an acting allowance if he acts for thirty days or more; the acting allowance shall be the difference between such Serviceman's salary and the salary of the post in which he is acting.

25. (1) A Serviceman shall get medical treatment free of charge; where a Serviceman or his dependant has to travel from his station to the hospital, the Service may provide transport or pay the actual cost of the journey to the Serviceman for the travel from the station to the nearest hospital. Medical treatment

(2) Where the Commandant is satisfied, on the recommendation of a medical practitioner, that the Government or Mission Hospital is not in a position to provide the medical or dental treatment required by a Serviceman, he shall authorise a payment of the whole or part of any charges actually incurred for such treatment elsewhere.

26. (1) Where a person who is in the Civil or military service of the Republic is seconded to the Service, he shall receive from his parent organisation the salary he would have received if he were not seconded. Seconded members

(2) In addition to the salary mentioned in sub-regulation (1), the person seconded from the Civil or military service of the Republic shall be entitled to an allowance equivalent to the difference between the salary he would have received if he were not seconded and the salary of the post in which he is serving with the Service, if such salary is higher than the salary he would have received if he were not seconded.

(3) An allowance given to a seconded person under the provisions of sub-regulation (2) shall not be counted for the purposes of pension or gratuity applicable to such seconded person under the rules of the Civil or military service of the Republic from which he is seconded.

(4) Where a seconded person intends to apply for a permanent post in the Service, he shall submit his application to the Commandant who shall transmit it to the appropriate authority with his comments thereon.

(5) Where a seconded person occupies his own house he will continue to receive housing allowance at the rate at which he would have got if he were not seconded.

PART X

PREPARATION OF A CHARGE SHEET

27. The provisions of Part X and Part XI shall apply to offences specified under Part IX of the Act.

Provisions applicable to offences under Part IX of the Act

28. (1) Every charge shall contain and shall be sufficient if it contains, a statement of the specific offence or offences with which the accused person is charged, together with such particulars as may be necessary for giving reasonable information as to the nature of the offence charged.

Offences to be specified in charge sheet with necessary particulars

(2) The charge sheet shall also contain the name, rank and unit of the accused person. The charge sheet shall in its layout follow with appropriate amendment the illustrations set out in the Fifth Schedule hereto.

(3) Any offences under Part IX of the Act may be charged together in the same charge sheet if the offences charged are found on the same facts or form or are a part of, a series of offences of the same or similar character.

(4) Where more than one offence is charged in a charge sheet, a description of each offence so charged shall be set out in a separate paragraph of the charge.

(5) Where, before trial, or at any stage of a trial the tribunal is of the opinion that the accused may be embarrassed in his defence by reason of being charged with more than one offence in the same charge sheet,

or for any other reason it is desirable to direct that any person so charged should be tried separately for any one or more offences charged in a charge, the tribunal may order a separate trial of any count or counts of such charge.

29. The following persons may be joined in one charge and may be tried together, namely- Joinder of two or more accused in one charge

(a) persons accused of the same offence committed in the course of the same transaction;

(b) persons accused of an offence and persons accused of abetment, or of an attempt to commit such offence;

(c) persons accused of different offences committed, in the course of the same transaction.

30. (1) Any infringement of the provisions of Part IX of the Act dealing with discipline in the Service must be dealt with promptly, and any Serviceman accused of any offence thereunder must be informed of the charges against him within forty-eight hours by his superior officer. Procedure rules in dealing with charges summarily

(2) Wherever any person subject to the Zambia National Service Act, Cap. 121 1971, having been taken into custody, is likely to remain in custody for a period longer than forty-eight hours without being brought before an appropriate tribunal a report on the necessity of keeping the Serviceman in further custody shall be made forthwith to the Commandant by the Commanding Officer of the Serviceman.

(3) Any conviction of a Serviceman shall be recorded in the Serviceman's Record Sheet of Offences as well as the Minor Offence Book in the forms prescribed in the Sixth Schedule hereto.

(4) At any trial of a Serviceman, there shall be produced the Minor Offence Book and if required, the Serviceman's Record Sheet of Offences.

(5) When transmitting the record of proceedings to the Commandant as required by the Act, it shall be necessary to accompany it with the Form Z specified in the Fifth Schedule hereto.

PART XI

TRIAL PROCEDURE

31. (1) After the charge sheet has been prepared by the officer preparing the charge and handed over to the Commanding Officer, appropriate tribunal or Commandant, the accused will be marched in with an escort of an equal rank.

Trial procedure

(2) The charge or charges will be read out and explained to the accused.

(3) The accused shall then be asked whether he pleads "guilty" or "not guilty". Where an accused pleads "not guilty"-

(a) each prosecution witness shall give his evidence orally in the presence of the accused or a written statement made by the witness shall be read out to the accused:

Provided that a written statement of a prosecution witness shall not be used if the accused requires that the witness shall give his evidence orally;

(b) the accused shall be allowed to cross-examine any prosecution witness;

(c) the accused may, on his own behalf, give evidence orally;

(d) the accused may call witnesses in his defence, who shall give their evidence orally and in his presence.

(4) After the conclusion of the evidence, the evidence shall be weighed and a finding of guilty or not guilty shall be entered.

(5) If the accused pleads guilty or is found guilty, he shall be permitted to give a plea in mitigation or bring character witnesses.

PART XII

ADVISORY COMMITTEE

32. (1) The Advisory Committee shall consist of members who shall all be appointed in writing by His Excellency the President. Composition of
Advisory
Committee

(2) The Secretary of the Advisory Committee will be the Permanent Secretary of the Ministry responsible for the services who shall convene the meetings of the Advisory Committee and take minutes of the proceedings of every such meeting so convened.

(3) The quorum at any meeting of the Advisory Committee shall be the Chairman and three members or in the absence of the Chairman any four members.

(As amended by S.I. No. 128 of 1985)

FIRST SCHEDULE

(Regulation 3 (5))

INSTITUTIONS PRESCRIBED BY THE MINISTER FOR THE PURPOSE OF PARAGRAPH (C) OF THE SECOND SCHEDULE TO THE ACT

1. All Teachers' Training Colleges in Zambia
2. All Medical Training Institutions in Zambia
3. National Institute of Public Administration
4. Natural Resources Development College
5. National College of Management and Development Studies
6. Evelyn Hone College of Applied Arts and Commerce
7. Lusaka Trades Training Institute
8. Livingstone Trades Training Institute
9. Lukashya Trades Training Institute-Kasama
10. Northern Technical College-Ndola
11. Zambia Institute of Technology:
 - (i) Kitwe;

(ii) Luanshya

12. Mansa Trades Training Institute

13. Choma Trades Training Institute

14. Nkumbi International College-Kabwe

15. Monze College of Agriculture

SECOND SCHEDULE

(Regulation 4 (2))

ENLISTMENT NOTICE

(Under Section 11)

To

Address

.....

.....

.....

.....

You are liable to be called up under the provisions of section 7 (1) or 5 (1)* and you are hereby called up for Service and are required to present yourself:

(a) To

.....

(Name of authority)

(b) at

.....

(Place)

(c) on

..... (Date and time)

Dated this day of

....., 19.....

at

.....

Registrar,
Zambia National Service

* Strike out whichever is not applicable.

NOTE-This enlistment is of no effect if-

(a) a postponement certificate relating to you is in force;

(b) any application or appeal by you under section 12 is pending.

THIRD SCHEDULE

(Regulation 5 (1))

APPLICATION FOR A POSTPONEMENT CERTIFICATE OR RENEWAL THEREOF

National Service Hardship Committee

Name and address of person on whom enlistment notice is served

Date of enlistment notice

Date of postponement certificate (if applicable)

Name and address of applicant

I hereby apply for postponement of my or my employee's liability to be called up for the Service on the grounds mentioned herein.

**Grounds of application:*

- (a) medical reasons;
- (b) domestic problems;
- (c) academic or professional examination;
- (d) commitment to business or other urgent duties;
- (e) any other ground;

and details of the grounds are as follows:

.....
...

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.....
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.....
.....
.....
.....

Dated this day
of
.., 19.....

.....

Signature of Applicant

* Delete whichever is not applicable.

FOURTH SCHEDULE

(Regulation 6)

APPEAL TO THE MINISTER

The Minister of

Ministry of.....

.....

..... Lusaka

Applicant's name

.....

Applicant's address

.....

.....

.....

I hereby appeal against the determination of *my application for a postponement certificate or my application for renewal of postponement certificate by the National Service Hardship Committee on the following grounds:

- (a)
-
- (b)
-
- (c)
-
- (d)
-

2. I also refer to my original application which contains the grounds for making such application.

Dated this day of

....., 19.....

.....

Signature of Applicant

* Delete whichever is not applicable.

<i>Number</i>	Name	Rank	<i>Unit</i>
---------------	------	------	-------------

Award *Reviewing Authority*

President.....

Date

Member

Member

Member

Member

ILLUSTRATION OF A CHARGE SHEET

The accused, No. 731 Prefect Jack Mule, Kafue Military Training Camp, the Zambia National Service, a Non-Commissioned Officer is charged with-

1st Charge

DISOBEDIENCE TO ORDERS CONTRARY TO SECTION 29 (1) (a) of the ZAMBIA NATIONAL SERVICE ACT, 1971

in that he

at Kafue Military Training Camp on 1st December, 1971, at approximately 0915 hours when verbally ordered by No. 171 Master Verod Mwanga, Kafue Military Training Camp, the Zambia National Service, to take defaulters for extra drill refused to comply and did not do so.

2nd Charge

USING INSUBORDINATE LANGUAGE TO A SUPERIOR OFFICER CONTRARY TO SECTION 29 (1) (B) (I) OF THE ZAMBIA NATIONAL SERVICE ACT, 1971

in that he

at Kafue Military Training Camp on 1st December, 1971, at approximately 0915 hours when asked by No. 124 Assistant Master Paul Banda, Kafue Military Training Camp, the Zambia National Service, for his number, name and rank replied "Buzz off you stupid idiot" or words to that effect.

Kafue

1st December, 1971

To be tried by appropriate Tribunal or Commandant.

COMMANDING OFFICER TO TRIBUNAL

(Regulation (30) (5))

To

No.

Rank

Name of accused

.....

Date of first trial by Commanding Officer

.....

.....

Place of trial

Alleged offence

.....

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State whether accused was-

*Confined

In Guardroom

Suspended

Application for trial

(a) Date

.....
(b) Reason

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.....
Date of
submission

.....
Expected date of trial by
tribunal

.....
Fixed
as.....

....., 19.....

.....
*Signature of Commanding
Officer*

N.B.-To be signed personally by the Commanding Officer.

* Delete whichever is not applicable.

TO COMMANDANT

The appropriate tribunal declares that.....

.....

.....
No.

.....
Rank

.....

Name

Unit

was committed to this appropriate tribunal on

19....., for trial on the following offence(s).....

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Verdict by appropriate tribunal

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.....
.....

Date

Place

Signatures

President

.....

Member

.....

Member

.....

Member

.....

SIXTH SCHEDULE
(Regulation 30 (3))
ZAMBIA NATIONAL SERVICE

RECORD SHEET OF OFFENCES

Serial No.	Description of Reviewing Authority	Date	Charges on which convicted	Award	Awards on review or consideration

I hereby certify that this Form and Schedule contains a summary of entries as can be found in the Minor Offence Book.

Signed this day of, 19.....

SPECIMEN OF A MINOR OFFENCE BOOK

Serial No.	No., rank and name of the accused	Offence	Witnesses	Verdict	Award	Signature and date of the Reviewing Officer

**SECTION 48-THE ZAMBIA NATIONAL SERVICE
(PENSIONS) (APPLICATION) REGULATIONS**

*Statutory Instrument
99 of 1976*

Regulations by the President

1. These Regulations may be called the Zambia National Service (Pensions) (Application) Regulations, 1976. Title

2. The Defence (Regular Force) (Pensions) Regulations shall apply to all Servicemen of the Zambia National Service as they apply to persons in the service of the Regular Force, as if service in the Zambia National Service were service in the Regular Force. Application. Cap. 106

**SECTION 16-THE ZAMBIA NATIONAL SERVICE
(ZAMBIA COMBINED CADET FORCE)
(EXEMPTION) ORDER**

*Statutory
Instruments
137 of 1975*

Order by the Minister

1. This Order may be cited as the Zambia National Service (Zambia Combined Cadet Force) (Exemption) Order, 1975, and shall come into operation on the 1st June, 1975. Title and commencement

2. There shall be exempt from liability under the Act to be called upon to serve in the Service any person belonging to the Zambia Combined Cadet Force who has completed an academic year in Form V and has passed Parts II and III of the Zambia Combined Cadet Force training. Exemption

**SECTION 16 AND 50-THE ZAMBIA SERVICE
(OBLIGATORY SERVICE) (EXEMPTION) ORDER**

*Statutory
Instruments
47 of 1981*

Order by the Minister

1. This Order may be cited as the Zambia National Service (Obligatory Service) (Exemption) Order, Title

2. The persons specified in the Schedule hereto are exempted from liability to serve in the Service. Exemption from service

SCHEDULE

(Paragraph 2)

1. All female persons serving at National Service Training Camps
2. All female persons serving at National Service Production Camps