



# ZAMBIA

## SUMMARY

Zambia is a democratic republic with two spheres of government, national and local. There is constitutional provision for local government and the main governing legislation includes the Local Government Act 1991 and the Local Government Elections Act 1992. The 103 local authorities are overseen by the Ministry of Local Government and Housing and consist of four city councils, 15 municipal councils and 84 district councils. There are also ten provinces, which are purely administrative. At the local elections in 2011, 6.2% of councillors were women. Following the 2016 national election, 18.0% of elected representatives were women. Local governments must establish and maintain roads, bridges, ferries, watercourses, street lighting and public transport, as well as provide firefighting and prevention, and environmental health services. Councils must also provide and maintain supplies of water; maintain drains, sewers and roads; and dispose of sewage and refuse. They must maintain cemeteries, crematoria and mortuaries, parks, zoos, gardens, pleasure grounds, camping grounds, caravan sites, art galleries, libraries, museums and film services.

### 1. NATIONAL GOVERNMENT

Zambia is a democratic republic with a unicameral parliament, known as the National Assembly.<sup>52.1a</sup> The head of state and government is the president, who is directly elected for a five-year term and a maximum of two terms. The National Assembly has 150 elected members and not more than ten (usually eight) nominated members. Elections are conducted using the first-past-the-post system in single-member constituencies, and members sit for a term of five years. The president appoints the vice-president and cabinet from amongst the members of the national assembly; no more than five members of cabinet can be appointed from amongst the nominated members. Following the 2016 national election, 18.0% of elected representatives were women.<sup>52.1b</sup>

### 2. LEGAL BASIS FOR LOCAL GOVERNMENT

#### 2.1 Constitutional provisions

Part 8 of the constitution<sup>52.2a</sup> provides for a system of local government comprised of councils elected on the basis of universal adult suffrage.

#### 2.2 Main legislative texts

The relevant legislative texts are:

- Local Government Act 1991<sup>52.2b</sup> (Cap. 281), and amendments: Act No. 19, 1992; Act No. 30, 1993; Act No. 13, 1994; Act No. 30, 1995; Act No. 22, 1995; Act No. 8, 2004; Act No. 9, 2004; and Act No. 6, 2010
- Local Government Elections Act 1992 (Cap. 282) amended twice.

#### 2.3 Proposed legislative changes

No information is available

#### 2.4 National urban policy

There is no national urban policy in Zambia; however in 2015 the Urban and Regional Planning Act was passed. This Act provides a comprehensive modern legislative framework for urban development, namely:

- development, planning and administration principles, standards and requirements for urban and regional planning processes and systems
- a framework for administering and managing urban and regional planning
- guidelines for establishing accountable, transparent, participatory and inclusive process for urban and regional planning that allows for involvement of communities, private sector, interest groups and other stakeholders
- guidelines on ensuring functional efficiency and socioeconomic integration by providing for the integration of urban activities, uses and facilities
- procedures for integrated urban and regional planning in a devolved system of governance so as to ensure multi-sector cooperation, coordination and involvement of different levels of government, traditional leaders and other stakeholders
- the promotion of environmental, social and economic sustainability in development initiatives and controls at all levels of urban and regional planning.

### 3. STRUCTURE OF LOCAL GOVERNMENT

#### 3.1 Local government within the state

The government approved a national decentralisation policy in November 2002, following two previous failed attempts in 1968 and 1980. The policy covers aspects such as empowering local people through setting up sub-district structures, and clearly defined roles and responsibilities for local authorities, the provinces and national government. Additionally, it states that the ultimate aim of the government is decentralisation through devolution, although the process will start with de-concentration of services while capacity is being developed in the local authorities. The objective of the policy is to enhance governance, by giving citizens more authority and power in decision-making at the local level.



## KEY FACTS

#### POPULATION (2017 estimate):

16,405,229

#### AREA (UN 2006):

752,612 sq km

#### CAPITAL:

Lusaka

#### CURRENCY:

Zambian kwacha (ZMK)

#### HEAD OF STATE AND GOVERNMENT:

President Edgar Lungu

#### FORM OF GOVERNMENT:

democratic republic

#### PARLIAMENTARY SYSTEM:

unicameral

#### STATE STRUCTURE:

unitary state

#### LANGUAGES:

English (official); Bemba, Kaonde, Lozi, Lunda, Luvale, Nyanja, Tonga (recognised)

#### NATIONAL ELECTIONS:

last: 2016, turnout: 54.4%; next: 2021

#### WOMEN IN PARLIAMENT (2016):

18.0%

#### LOCAL ELECTIONS:

last: 2016, turnout: 54.7%; next: 2021

#### WOMEN COUNCILLORS (2016):

8.1%

#### LOCAL GOVERNMENT EXPENDITURE as a percentage of total government expenditure 2012:

0.9%

**Table 52.1a Distribution of councils and population**

Province	Cities	Municipal councils	District councils	Total number of councils	Population (2010 Census)	Population (2017 estimate)	% rural (2010)
National	-	na	na	11	1,267,803	na	na
Copperbelt	3	na	na	10	2,305,258	na	na
Eastern	-	na	na	9	1,766,300	na	na
Luapula	-	na	na	11	1,099,151	na	na
Lusaka	1	na	na	8	2,669,249	na	na
Muchinga	-	na	na	7	858,179	na	na
Northern	-	na	na	9	1,264,212	na	na
North Western	-	na	na	9	811,706	na	na
Southern	-	na	na	13	1,799,885	na	na
Western	-	na	na	16	975,282	na	na
<b>Total</b>	<b>4</b>	<b>15</b>	<b>84</b>	<b>103</b>	<b>14,817,025</b>	<b>16,405,229</b>	<b>41.5</b>

Source: MLGH communication with CLGF, the 2010 census<sup>52.3a</sup> and the 2017 population estimates<sup>52.3b</sup>

**3.2 Ministerial oversight**

The Ministry of Local Government and Housing (MLGH)<sup>52.3c</sup> is responsible for overseeing local government. The mission of the ministry is ‘to promote a decentralized and democratic local government system and facilitate the provision of efficient delivery of quality housing, infrastructure and other social services by local authorities and other stakeholders for sustainable development’. MLGH has the following six departments: Human Resources and Administration, Local Government Administration, Housing and Infrastructure Development, Physical Planning, Government Valuation and Decentralisation. MLGH is also responsible for the following statutory bodies and institutions: Chalimbana Local Government Training Institute, the National Housing Authority, the National Fire Services Training School and the Local Authorities Superannuation Fund. The provincial liquor licensing

boards have been abolished and local authorities have been given full licensing powers, following the repeal of the Liquor Licensing Act (Cap. 167). With the enactment of the Local Government Amendment (Act No. 6, 2010), the Local Government Service Commission has been re-established with oversight from MLGH. The commission is mandated to hire, fire, promote, demote and discipline officials of all councils. MLGH has also been responsible for providing various national grants to councils, including the Constituency Development Fund (see Section 9.3).

**3.3 Council types**

There is one tier of local government. Local governments are called councils and there are currently 103 councils – four city councils, 15 municipal councils and 84 district councils. In general, city councils are located in those urban districts which have more population

and diversification in economic activities, while the municipal councils cover the suburban regions. District councils are located in those relatively rural districts which have less population and rely heavily on agriculture, and hence have fewer local tax revenue resources. However, legally all councils have the same mandates and authority vis-à-vis their residents and national government. There are also ten provinces, which are used for purely administrative purposes: National, Copperbelt, Eastern, Luapula, Lusaka, Muchinga, Northern, North Western, Southern and Western. Each province is headed by a provincial minister appointed by the president and there are provincial departments of national government ministries. A council has both legislative and administrative wings. In the legislative wing, councillors are directly elected by universal adult suffrage on the first-past-the-post system as representatives of the residents. The officials working in the administrative wing are hired by the Local Government Service Commission from either within or outside the district.

**Table 52.1b Women councillors and mayors following the last three local elections**

Election	2006		2011		2016	
	#	%	#	%	#	%
Councillors	na	7.3	85	6.2	132	8.1
Female councillors	na	92.7	1,297	93.8	1,492	91.9
Male councillors	na	100.0	1,382	100.0	1,624	100.0
Chairpersons	#	%	#	%	#	%
Female mayors	na	na	na	na	9	8.3
Male mayors	na	na	na	na	100	91.7
Total mayors	na	100.0	na	100.0	109	100.0

Source: Gender links 2012<sup>52.4b</sup> and communication with LGAZ

**4. ELECTIONS**

**4.1 Recent local elections**

The last local government elections were held alongside the presidential and parliamentary elections in 2016 with a turnout of 54.7%.<sup>52.4a</sup> The next local elections are scheduled for 2021.

**4.2 Voting system**

No information is available.

**4.3 Elected representatives**

The term of office for the mayor or council chairperson, who is elected by councillors from among themselves, is five years.

**Table 52.2a Aggregate income and expenditure for local government 2012**

Income	ZMKbn	Expenditure	ZMKbn
<b>Centre-local transfers</b>		<b>Administration</b>	
Restructuring Grant	25.2	Staff	na
Recurrent Grant	80.5	Property	na
Capital Grant	125.5	Other	na
Grant in Lieu of Rates	25.5	<b>Services</b>	
<b>Locally raised revenue</b>	<b>na</b>	Water	na
Property taxes	na	Road maintenance	na
Licences and fees	na	Other	na
<b>TOTAL INCOME</b>	<b>&gt;256.7</b>	<b>TOTAL EXPENDITURE</b>	<b>&gt;256.7</b>

Source: MLGH communication with CLGF

#### 4.4 Women's representation

Following the 2016 elections 8.1% (132/1,624) of elected councillors were women, up from 6.2% in 2011. \*3% (9/109) of mayors elected in 2016 were women. (see table 52.1b)

### 5. SYSTEMS FOR COMMUNITY INVOLVEMENT

#### 5.1 Legal requirement

Following the adoption of the national decentralisation policy it was a requirement to create sub-district structures called area development committees (ADCs) to enhance community involvement in local decision-making processes. To provide legal backing to ADCs, an amendment to the existing Registration and Development of Villages Act is in preparation. In addition, the Urban and Regional Planning Bill, if enacted, will require councils to involve communities more in their planning and budgeting processes.

#### 5.2 Implementation

Some councils have developed participatory planning and budgeting mechanisms, with some external assistance. MLGH issues annual budget guidelines to all councils, as well as guidelines on the utilisation and management of the Constituency Development Fund (see Section 9.3). These guidelines always emphasise the importance of consultation with stakeholders – both the local community and civil society organisations, non-government and faith-based organisations

and the private sector – for their planning and budgeting.

#### 5.3 ICT use in citizen engagement

Since internet access is still limited to urban areas or to those who can afford mobile-phone access, e-government has been very sparingly used in service delivery by councils.

### 6. ORGANISED LOCAL GOVERNMENT

There is a single voluntary national association for all councils: the Local Government Association of Zambia (LGAZ).<sup>526</sup> Its principal objective is to protect and promote the interests of local government in Zambia. The association has no legal or constitutional recognition, however, and is funded through membership subscriptions. All the 103 councils are associates of LGAZ and the association has provincial boards under its executive board at the national level. LGAZ organises an annual conference, which includes a session where the associates (councils) and MLGH directly discuss concerns raised by the associate councils. When necessary, LGAZ follows up the issues raised in the session with MLGH.

### 7. INTERGOVERNMENTAL RELATIONS

When necessary, MLGH convenes representatives from relevant councils to collect views. The office of the provincial local government officers and auditors, represents MLGH within the 10 provincial capitals and acts as

the main communication channel between MLGH and councils. Provincial local government officers (PLGOs) are mandated to supervise and provide guidance to the councils within their provinces, while local government auditors audit the financial accounts of the councils, including the financial management of capital projects funded by the Constituency Development Fund (see Section 9.3). Other initiatives include:

- In 2008, MLGH launched its Wide Area Network, a computer-based network aiming to connect the MLGH headquarters and satellites at the national level, all the provincial branches, as well as all 103 councils in the country.
- The National Assembly operates a committee system, which includes a committee on local governance, housing and chiefs' affairs, where policy issues and activities relating to local government are scrutinised. The proceedings of the committee are open to the public, and the committee is, whenever necessary, entitled to seek public input in written form on issues under consideration and to invite any members of the public to their meetings as witnesses. Councillors and council officials, if appropriate, can be invited to committee meetings or the public forum.

### 8. MONITORING SYSTEMS

Each council's annual accounts should be finalised no later than six months after the fiscal year-end. Local government auditors appointed by MLGH then visit all 103 councils to audit their annual financial accounts. Audit reports are submitted to both the council and the ministry, and each council submits an 'action taken' report within 60 days of receipt of its audit report. MLGH consolidates these reports and submits them to the parliamentary committee for scrutiny. MLGH also scrutinises council minutes. MLGH issues a budget circular together with budget guidelines every year. PLGOs are mandated to provide supervision and guidance to the councils within their provinces in the budget-making process. The MLGH headquarters, through the Department of Local Government and Housing, scrutinises the budget estimates submitted by councils through PLGOs and corrects them, if necessary, in accordance with the budget guidelines or the budget ceilings of the grants approved by the National Assembly. The minister of local government and housing approves councils' budget estimates. Councils are also directed to submit quarterly receipts and payments accounts to MLGH through their local PLGO, together with copies of their meetings' minutes and resolutions; as well as annual receipts and payments accounts together with their own budget performance analysis to MLGH.

**Table 52.2b Local government expenditure as a percentage of total government expenditure 2012/13**

	2012/13 actual
Total government expenditure	27,698.2
Total local government expenditure	>256.7
<b>Local government expenditure as a percentage of total government expenditure</b>	<b>0.9%</b>

Source: Table 52.2a and the national budget statement<sup>529</sup>

**9. FINANCE, STAFFING AND RESOURCES**

**9.1 Local government expenditure**

No information is available on local government expenditure as a proportion of total government expenditure.

**9.2 Locally raised revenue**

Although councils are responsible for raising and collecting local taxes and user fees, not all have been able to collect their local revenues as budgeted. There is no comprehensive data available from MLGH on the revenues collected by councils.

**9.3 Transfers**

Under Section 45 of the Local Government Act 1991, the government must make grants to local authorities for services including water and sanitation, primary healthcare, fire protection, roads, municipal police, primary education and agricultural support. Education and health are the responsibility of national government and, although there have been attempts to decentralise these services, they are not yet devolved to local government. The ministries of education and health have so far de-concentrated their functions down to the district level. MLGH distributed its 2012 grants to councils under the following headings: Restructuring Grant (ZMK25.2bn), Recurrent Grant (ZMK80.5bn), Capital Grant (ZMK125.5bn), and Grant in Lieu of Rates (ZMK25.5bn). In 2010 the government implemented a formula-based grant system in regard to the Recurrent Grant. Plans are underway to extend this and to subject all grants to predetermined criteria so as to enhance accountability in the use of public funds at local level. It is also anticipated that a performance-based grant system will be in place to support the devolving sectors.

**9.4 Loans**

Article 47 of the Local Government Act 1991 states that a council may borrow such sums of money as may be required for the purpose of discharging its functions in all or any of the following ways: (a) by loan under Article 45; (b) by the issue of stock or bonds; (c) by mortgage; d) by temporary loan or overdraft from a bank or other source; (e) by loan from any other source. Article 48 states that no council shall borrow money or receive any grant of money from a foreign government or foreign organisation.

**9.5 Local authority staff**

National government does not pay any salaries of those working in council-run establishments. Councillors (elected representatives of councils) are remunerated by allowances from their council but are not paid salaries.

**10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY**

**10.1 Overview of local government service delivery responsibility**

The Local Government Act 1991 stipulates 63 functions that councils may discharge. Around half these functions focus on investment and maintenance of infrastructure and are the sole responsibility of the individual council. These include the establishment and maintenance of roads, bridges, ferries, watercourses, street lighting and public transport services, firefighting and prevention services and environmental health services. Councils must also provide and maintain supplies of water as well as establish and maintain drains, sewers and works for urban and feeder roads, and dispose of sewage and refuse. They must maintain and establish cemeteries, crematoria and mortuaries, together with parks, zoos, gardens, pleasure grounds, camping grounds, caravan sites, art galleries, libraries, museums and film services. Councils also have joint responsibility, alongside various sector-specific government agencies, for: the conservation of natural resources; the protection and control of local forests and woodlands; the establishment and maintenance of farms and allotment gardens; and the storage, marketing and preservation of agricultural produce. They further share responsibility for establishing and maintaining colleges, schools and day nurseries, public swimming baths and other social/recreational facilities, for postal services, and for the promotion of road safety. Finally, councils are mandated to prepare and administer schemes for the encouragement of and participation in community development, targeting some services at marginalised groups.

**10.2 ICT use in service delivery**

A number of initiatives are being undertaken by the government, and the number of ICT projects has increased over the years, especially in the public sector. Examples include the Integrated Financial Management Information System (IFMIS) project, the Payroll Management and Establishment Control project and the building of a Wide Area Network (see Section 7), which is essential to the establishment of e-government. The policy goal is 'to improve public sector management as well as efficient and effective delivery of public goods and services through the implementation of e-government systems'. As a first step, national government has mobilised resources to connect MLGH to all the provincial offices and councils in Zambia. In 2010 the government piloted its

medium-term expenditure framework/ activity-based budget (MTEF/ABB) guidelines in seven councils as a way of strengthening the tracking system on the use of public funds.

**10.3 The role of local government in achieving the UN Sustainable Development Goals (SDGs)**

In 2015, the Government of Zambia and the UN signed a Sustainable Development Partnership Framework that governs the work of all UN agencies on the SDGs in Zambia from 2016 to 2021.<sup>52,10</sup>

**REFERENCES AND USEFUL WEBSITES**

52.1a Zambia national government [www.parliament.gov.zm](http://www.parliament.gov.zm)

52.1b Women in national parliaments [www.ipu.org/wmn-e/classif.htm](http://www.ipu.org/wmn-e/classif.htm)

52.2a Constitution of Zambia <http://unpan1.un.org/intracod/groups/public/documents/cafrad/unpan004847.pdf>

52.2b Local Government Act 1991 <http://faolex.fao.org/docs/pdf/zam92634.pdf>

52.3a 2010 Population and Housing Census [www.zamstats.gov.zm/phocadownload/2010\\_Census/2010%20Census%20of%20Population%20National%20Analytical%20Report.pdf](http://www.zamstats.gov.zm/phocadownload/2010_Census/2010%20Census%20of%20Population%20National%20Analytical%20Report.pdf)

52.3b Census projection 2011-2035 [www.zamstats.gov.zm/index.php/publications/category/55-census-projections](http://www.zamstats.gov.zm/index.php/publications/category/55-census-projections)

52.3c Ministry of Local Government and Housing [www.mlgh.gov.zm](http://www.mlgh.gov.zm)

52.4a Electoral Commission of Zambia [www.elections.org.zm](http://www.elections.org.zm)

52.4b Gender links (2012) 'Where are all the women?' <http://genderlinks.org.za/programme-web-menu/publications/where-are-all-the-women-2012-04-19>

52.5 No reference for this section

52.6 Local Government Association of Zambia [www.lga-zambia.org.zm](http://www.lga-zambia.org.zm)

52.7 No reference for this section

52.8 No reference for this section

52.9 National Budget Statement [www.parliament.gov.zm/sites/default/files/images/publication\\_docs/2016\\_Budget\\_Speech\\_-\\_9\\_October\\_2015.pdf](http://www.parliament.gov.zm/sites/default/files/images/publication_docs/2016_Budget_Speech_-_9_October_2015.pdf)

52.10 Government of Zambia and UN sign framework agreement [www.qfmzambia.com/2015/11/19/zambia-ready-for-sdgs-challenges-wina](http://www.qfmzambia.com/2015/11/19/zambia-ready-for-sdgs-challenges-wina)

52.11b UN statistics surface area <http://unstats.un.org/unsd/demographic/products/dyb/dyb2006/Table03.pdf>

52.11a UNDP HDR Zambia country profile <http://hdr.undp.org/en/countries/profiles/ZMB>



## Annex 52a Summary of service provision in different spheres of government in Zambia

Services	Delivering authority		Remarks
	National government	Local government	
<b>GENERAL ADMINISTRATION</b>			
Police	■		
Fire protection		■	
Civil protection	■		
Criminal justice	■		
Civil status register	■		
Statistical office	■		
Electoral register		■	
<b>EDUCATION</b>			
Pre-school (kindergarten and nursery)		■	
Primary	■		
Secondary	■		
Vocational and technical	■		
Higher education	■		
Adult education	■		
<b>SOCIAL WELFARE</b>			
Family welfare services	■		
Welfare homes	■		
Social security	■		
<b>PUBLIC HEALTH</b>			
Primary care	■	■	
Hospitals	■		
Health protection	■	■	
<b>HOUSING AND TOWN PLANNING</b>			
Housing	■	■	
Town planning	■	■	
Regional planning	■	■	
<b>TRANSPORT</b>			
Roads	■	■	
Transport		■	
Urban roads	■	■	
Urban rail	■		
Ports	■		
Airports			
<b>ENVIRONMENT AND PUBLIC SANITATION</b>			
Water and sanitation		■	
Refuse collection and disposal		■	
Cemeteries and crematoria		■	
Slaughterhouses	■	■	
Environmental protection	■	■	
Consumer protection			
<b>CULTURE, LEISURE AND SPORTS</b>			
Theatre and concerts	■	■	
Museums and libraries		■	
Parks and open spaces	■	■	
Sports and leisure	n/a	■	
Religious facilities			
<b>UTILITIES</b>			
Gas services	n/a		
District heating		■	
Water supply		■	
Electricity			
<b>ECONOMIC</b>			
Agriculture, forests and fisheries	■	■	
Local economic development/promotion	■	■	
Trade and industry	■	■	
Tourism	■	■	

■ sole responsibility service ■ joint responsibility service ■ discretionary service