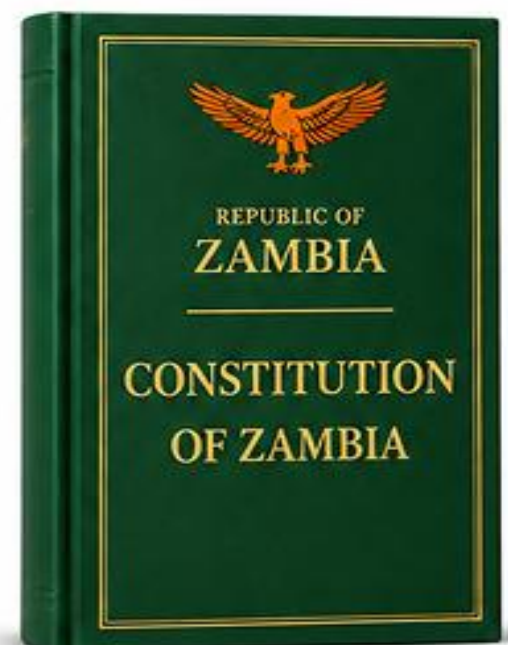




VIHANDE VANALUMBUNUNA MWAKUHASHIWISA VYA JISHIMBI JALIFUCHI NA CHIYULO VYA ZAMBIA (KWALUMUNA) 2025

*A Ciluva Translation of the
Simplified Version of the
Constitution of Zambia
(Amendment) Act No. 13 of 2025*



ABOUT THE ZAMBIA LAW DEVELOPMENT COMMISSION

The Zambia Law Development Commission, referred to as ‘the ZLDC’ or the ‘Commission’, is a semi-autonomous statutory body established under the Zambia Law Development Commission Act, Chapter 32 of the Laws of Zambia. The primary mandate of the Commission is law reform. The functions of the Commission are to:

- Recommend the revision and reform of the law in Zambia;
- recommend the codification of unwritten laws in Zambia;
- review and consider proposals for law reform referred to the Commission by the Minister or the members of the public;
- holds seminars and conferences on legal issues;
- translate any piece of legislation into local languages; and
- research and make recommendations on
 - the socio-political values of the Zambian people that should be incorporated into legislation;
 - the anomalies that should be eliminated from the statute book;
 - new and more effective methods of administration of the law and the dispensation of justice that should be adopted and legislated;
 - the removal of archaic pieces of legislation from the statute book;
 - new areas of the law that should be developed, which are responsive to the changing needs of the Zambian society.
- encourage international co-operation in the performance of its functions under this Act, and
- do all such things incidental or conducive to the attainment of the functions of the Commission.

COMPOSITION OF THE COMMISSION

The ZLDC is headed by a 13-member Commission composed of part-time members appointed by the Minister of Justice. The following are the members of the Commission:

- | | | | |
|-------|--------------------------------|---|-----------------------|
| i. | Madam Justice Ruth Chibbabbuka | - | Chairperson |
| ii. | Dr Chipso Mushota Nkhata | - | Vice Chairperson |
| iii. | Dr O'Brien Kaaba | - | Committee Chairperson |
| iv. | Mr Emmanuel Sibongo | - | Committee Chairperson |
| v. | Ms. Bubala Chibbonta | - | Member |
| vi. | Mrs. Kawama Goma Simumba | - | Member |
| vii. | Mr Munukayumbwa Munyima | - | Member |
| viii. | Ms. Mwaka Chizinga | - | Member |
| ix. | Dr Herrick Mpuku | - | Member |
| x. | Dr. Dominic Kangongo | - | Member |
| xi. | Dr Bibian Kalinde | - | Member |
| xii. | Mrs Eva Jhala | - | Member |
| xiii. | Mrs Yvonne Wilombe Nakacinda | - | Member |

The day-to-day running of the Commission is undertaken by its Secretariat, which is headed by a Director who is also the Commission Secretary. Mrs Hope M. Ndhlovu-Chanda currently serves as Director and Commission Secretary.

KJULIPANDWILA

Chuma va Zambia Law Development Commission vanalongesela kutandakanyisa echi cheka chauchi shina kunangula vathu muchivulu vyajishimbi nakweuluka. Chinahane kulumbunuka chachashi cha Jishimbi Jalifuchi Nachiyulo ja Zambia (Kwalumuna) No. 13 cha 2025 ngocho nakukafwa vathu muchivulu mukuthachikiza kwalumuka chachilemu chafuma ha Lushimbi elu.

Kutandakanyisa echi chinatale hakunangula kaha shikaho kalwapwile lukhiko lushimbi luveneko. Kanda nakupwa kupendaminaho nge chikhiko kutongola chalushimbi chipwe kupwa chakushishisa mu Jishimbi Jalifuchi Nachiyulo ja Zambia (Kwalumuna) No. 13 cha 2025 chipwe khala lushimbi lwapandamako.

Chosena nakupwa kuhona kulitombola mukachi kakutandakanyisa echi chakuhashiwisa navize vavuluka mulushimbi, Jishimbi Jalifuchi Nachiyulo ja Zambia, nge muze vanalumuna, jikhiko najiyula.

Vakakutanga navatonda kulumbununa chakukava najishimbi chipwe kweulula vanavalombo kutala jishimbi vahakako chipwe kukafwa chavakhuluwa muvyajishimbi.

VIHANDE VANALUMBUNUNA MWAKUHASHIWISA VYA JISHIMBI JALIFUCHI NA CHIYULO VYA ZAMBIA (KWALUMUNA) 2025

1. Short title- MUTWE WACHIHANDE MUWIHI

Legal Text

This Act may be cited as the Constitution of Zambia (Amendment) Act, 2025, and shall be read as one with the Constitution of Zambia, in this Act referred to as the Constitution.

Mazu Ajishimbi Mukuhashiwisa

Lushimbi elu valuvuluka Jishimbi Jalifuchi na Chiyulo cha Zambia (kwalumuna) 2025. Lushimbi elu luli nakuhakwila kwalumunako vyuma vimwe vili muze mu Jishimbi Jalifuchi, eji japwa Jishimbi Jalifuchi Nachiyulo ja Zambia.

Echi Chalumbunukila Mulihi?

Echi kachapwile kushishisa Jishimbi josenaa jalifuchiko. Chuma chiliho shina kuhakilako

chipwe kwalumunako vihandu vimwe. Shikaho echi chinalumbunuka nge kwatela kupwa kutangila hamwe vize vanalumuna najize jishimbi jivene, kupwa mukanda wajishimbi umwe wakuswa.

2. Amendment of Article 47- KWALUMUNA CHACHIHANDE 47

Legal Text

Article 47 of the Constitution is amended by the-

(a) deletion of clause (2) and (3) and the substitution thereof of the following:

(2) Elections to the National Assembly shall be conducted under a mixed-member proportional representation electoral system, as follows:

(a) first-past-the-post electoral system for Members of Parliament contesting for constituency-based seats; and

(b) proportional representation electoral system for women, youths and persons with disabilities as prescribed; and

(3) Elections to councils shall be conducted under a mixed-member proportional representation electoral system, as follows:

(a) first-past-the-post electoral system for mayor or council chairperson;

(b) first-past-the-post electoral system for candidates contesting for ward-based seats; and

(c) proportional representation electoral system for a specified number of women, youths and persons with disabilities, as prescribed.;

(b) insertion of the following new clause immediately after clause (3):

(4) The seats under the proportional representation electoral system, referred to in clause (2) (b) and (3) (c), shall be distributed, as prescribed after a general election, by the Electoral Commission, to political parties, in proportion to the total number of valid votes received by a presidential candidate; and

(c) renumbering of clause (4) as clause (5).

Mazu Ajishimbi Mukhashiwiwa

Mazu vanazachisa anavuluka kwalumuna mujila vasakwilamo vamembala vamu Palyamende (va MP). Kwesekesa najila eyi, nakupwa kuwalililaho kusakula vamembala va Palyamende vamwe kukava kuvula chajivwoti mwawana uze mwemana jakuhambakana vakwavo. Kwalumuna chiliko oholili ngana chinapu chakupanga vize vitwamo vyamu Palyamende. Mukusakula echi, vamembala vamu Palyamende vamwe navatwalililaho kuvasakula kukava jila yakuwana jivwoti jajivulu. Kuhanduka kujila eyi, va MP vakwavo navavasakula kweseka nachazano vatongola, vili nge vitwamo vyamaphwevo, vakweze/vasanda navathu vakukalikiza kumijimba.

Kweseka nakusakula chakupanga, vitwamo vize valamina maphwevo, vakweze/vasanda, navathu vakukalikiza kumijimba navavipanga hakachi ka Mauka Amilingu kuli vaka komishonyi yatala vyakuvwota kusongo yakuvwota. Liuka hiliuka nalitambula nambala yavitwamo evi, kweseka nakuvula chajivwoti vanawane hakuvwota. Jila vazachisa vakakutala vyakuvwota (Electoral Commission) yakupangililamo vitwamo kweseka nakuvwota chamauka navachilumbununa mujishimbi jekha.

Vyossena vize vinasaleko vyakuvuluka jila yakuvwotelamo navipwa tuhu nge muze vavihaka mu Jishimbi Jalifuchi Nachiyulo.

Echi Chalumbunukila Mulihi?

Shimbu kanda kwalumuka chamu 2025, vosena vamembala va Palyamende vakufuma kujikositichuyesi navakasela vamujiwati vavasakwilenga kuli vakakuvwota kuzachisa jila yakulivanga kuwana jivwoti jajivulu kuhambakana. Kwalununa echi chinalame jila eyi oloze chinahakilako jila yayihya yakuzalishilamo vitwamo vatongola vize valamina maphwevo, vakweze chipwe vasanda navathu vakukalikiza.

Hakulinga ngocho, vakakuvwota navatwalilaho kuvwotela vathu javo vanasakula mujikositichuyesi najiwati javo nge muze valingilenga. Oloze,

kusakula chathwamina walifuchi chikhiko nachitetekeza kupanga chavize vitwamo valama hakachi kamauka amilingu. Mauka amilingu aze nawatambula jivwoti javivulu jauze mwemanyina uthwamina akhiko nawatambula chazano chachinene chavize vitwamo valama, kaha aze nawawana vitwamo vyakukeha kuhambakana nawatambula vitwamo vyavindende.

Kwalumuna echi chinafumu hakutonda kuvulisa kwimanyinako chamauka aze kumakumbi akunyima kawapwilenga navakuvenyinako vakutesamo mu Palyamende najikasulu chakuhona kwalumuna mujila vasakwilamo vamembala vamu Palyamende vakufuma kujikositichuwesi, vakasela vamujiwati, vameyala navakulwane vavitwamo mujikasulu.

3. Amendment of Article 52

KWALUMUNA CHA CHIHANDE 52

Legal Text

Article 52 of the Constitution is amended —

(a) by the deletion of clause (1) and the substitution therefor of the following:

(1) A person who intends to be a candidate for election as President, Member of Parliament for a constituency-based seat, mayor, council chairperson, or councilor for a ward-based seat shall file that person's nomination paper to a returning officer, supported by an affidavit stating that the person is qualified for nomination for election as President, Member of Parliament for a constituencybased seat, mayor, council chairperson, or councilor for a wardbased seat, in the manner, on the day, and at the time and place set by the Electoral Commission, by regulations.;

(b) in clause (4), by the insertion of the words "and determine" immediately after the word "hear"; and

(c) by the deletion of clause (6) and the substitution therefor of the following:

(6) Where a candidate —

(a) resigns after having been nominated in accordance with this Article, the candidate shall not be eligible to contest the election, and the election shall proceed to be held on the date prescribed for holding the election;

(b) has been disqualified by a court, after close of nominations, the candidate shall not be eligible to contest the elections, and the election shall proceed to be held on the date prescribed for holding the election; or

(c) sponsored by a political party dies before the date prescribed for the holding of an election, the Electoral Commission shall cancel the election, and call for the filing of a fresh nomination by the political party whose candidate died, and the election shall be held within thirty days of filing of the fresh nomination

Mazu Ajishimbi Mukhashiwiwa

Yosena Chihande 52 cha Jishimbi Jalifuchi Nachiyulo vanachalumuna mangana chilumbunune jila yakulisonekesalo nakuhasa vyosena navisoloka vyakupandama kuli vase vanalisonekesa kwimana. Kwalumuna echi chatonda wosena mwatonda vamusakule kupwa Tyhwamina Walifuchi, MP, Meyala, Mukwachitwamo mukasului, chipwe kasela kuhana mapepa akumusakwilaho hamwe na afindaviti kwitaviza ngwavo wosena mwatonda kulimanyina, muthu ou natesamo kwimana. Mapepala awa vatela kuwahana mujila nahalwola vatongola va ECZ. Kwaalumuna echi chahana nawa ECZ ngolo jainene kechi kaha jakwivwa khakao oloze nawa kuyula havinhande vyakupandama kukusakula.

Chinhande echi chalumbununa nawa ovyo navisoloka nge muthu mwalitwamina, vanamwane kuhona kutesamo chipwe mwafwa shimbu vanasoko lyehi chize kusakula. Nge muthu nalisonekesa mwalitwamina chipwe vanamukanyisa kuli vakakhuta, kavechi kupwa nalisesa lyakwimanako, oloze kusakula nachitwalililaho nge muze vachitongwela. Oloze, nge muthu vasakaula kwimana kuliuka lyuamilingu mwafwa shimbu kanda kusakula ECZ yatela kukasula chize kusakula nakwitavila lize liuka kuneha wekha wakwimana haze hachihela, kufuma haze kusakula chatela jino kusoloka mumakumbi 30.

Echi Chalumbunukila Mulihi?

Chihande echi chatala hakumona ngwavo muthu mwatonda kumusakula natesamo mujindondelo vataongola vaka ECZ hakwimana mangana vamusakule. Chahaka jindondelo jakiutela kukava.

Kuhakilako, chasolola mujila muthu mwatonda kumusakula mwahnena kwimana mwomwo nalitwamina, kumukanyisa chipwe kufwa.

4. Amendment of Article 58- KWALUMUNA CHA CHIHANDE 58

Legal Text

Article 58 of the Constitution is amended by the deletion of clause (2) and the substitution thereof of the following:

(2) The number of constituencies shall be equal to the number of constituency-based seats in the National Assembly, as specified in Article 68 (a).

Mazu Ajishimbi Mukuhashiwisa

Chihande 58 vanachalumuna mangana kupwenga kuvula chajikosichuwesi mu Zambia chize nachilitombola nakuvula chavitwamo vyajikosichuwesi mu Zuvo Yajishimbi.

Echi Chalumbunukila Mulihi?

Echi chinalumbunuka nge kositichuwesi hikositichuwesi nayipwa nachitwama chimwe mu Palyamende chakulitombola, kulinga ngocho nakusoloka kulita chakositituwesi yalifuchi nakositichuwesi nakwimanyinako cha Palyamende.

5. Repeal and replacement of Article 68 - KUFUMISA NAKUSHISHISHISA CHA CHIHANDE 68

Legal Text

The Constitution is amended by the repeal of Article 68 and the substitution therefor of the following:

- 68. (1) Subject to Article 82 (5), the National Assembly shall consist of —*
- (a) two hundred and twenty-six Members of Parliament holding constituencybased seats;*
 - (b) forty Members of Parliament holding seats under the proportional representation electoral system in accordance with Article 47 (2) (b) as follows:*
 - (i) twenty women;*
 - (ii) fifteen youths; and*
 - (iii) five persons with disabilities;*
 - (c) not more than eleven nominated Members of Parliament;*
 - (d) the Vice-President;*
 - (e) the Speaker; and*
 - (f) the First and Second Deputy Speakers.*
- (2) Notwithstanding clause (1) (c), the number of nominated Members of Parliament shall not exceed five percent of the Members of Parliament holding constituency-based seats.*

Mazu Ajishimbi Mukuhashiwisa

Chihande 68 vanachalumuna mangana chalumune kuvula chavamembala vamuzuvo ya Jishimbi. Kwese nakwalumuna echi, Zuvo Yajishimbi nayipwa jino navamembala vakuheta 226 vakupandama kujikositichuwesi, vamembala 14 vakusakula kweseka nakusakula chakwesekesa, nava MP vakuvula kuli Thwamina Walifuchi kukumina ha 11 vamuzuvo yajishimbi, Muhato wa Thwamina Walifuchi, Mutoloki wa Muzuvo Yajishimbi, namitoloki Wakulivanga na Wakuhatamo. Vize vitwamo 40 vyakukwimanyina navavilamina maphwevo 20, vakweze 15, navathu vatanu vakukalikiza.

Kwalumuna echi chemika nawa nambala yamahako vamu Zuvo Yajishimbi vakusakula Thwamina kuhona kuhambakana 5 pasethi yavitwamo vyakupandama kukosichuwesi. Chanehsa kulinga ngana chinapu kuvulisa kuhakamo nakwimanyinako chamauka aze kakavulu kavemnyina mwakutamoko mu Zuvo ya Jishimbi, shimbu nawa nakupwa kuvuluka hatoma kupwa naseteko ya Zuvo ya Jishimbi.

Echi Chalumbunukila Mulihi?

Hakavanga, chihande 68 chatongwele Zuvo ya Jishimbi kupwa navamembala 156 vakusakula kweseka najila yakuvula chajivwoti kuhambakana vosena, va Mp vakusakula kuli Thwamina vakuvulula kuheta kaha 8, Muhato Wathamina Walifuchi, Mutoloki, na Mitoloki vamitoloki Wakavanga nawakuhatamo.

Kwalumuna echi chalumuna mwamunene mujila yakutohwesa seteko ya Zuvo ya Jishimbi nakunehako kwimanyina chavathu vavavulu kuhichila mukusakula chakwesekesa naseteko.

Kwalumuna echi chavulisa nambala yava Mp vakupandama kukositichuwesi kufuma ku 156 nakuheta ku 226. Echi chanlumbunuka nge nakupwa kutungilako jikositichuwesi nakwimanyinako cha Muzuvo ya Jishimbi, ngocho nakuvulisa kwimanyina chamujikositichuesi nakuwanyisa kupula chajingiza jajikositichuwesi.

Kuhakilaho, kwalumuna echi chaneha nakutohwesa kwimanyina chakwesekesa mukusakula. Chihandwa chilimo nachihande 68 chamwaka, echi kachahakileko vitwamo vyakuzonga mukwesekesa mu Zuvo ya Jishimbi, kwalumuna echi chinatungu vitwamo 40 vyakulimanyina vyakutakamisa kulihakamo chamauka aze kavemnyine mwakutamoko mu Zuvo ya Jishimbi. Vitwamo evi vavyala ngana maphwevo 20, vakweze 15 navathu vatanu vakukalikiza kumijimba.

Kwalumuna echi nawa chavulisa vamembala vamu Zuvo ya Jishimbi vakusakula kuli Thwamina kufuma 8 nakuheta 11. Chipwe ngocho chaneha kukuminamo cha Jishimbi ja Lifuchi na Chiyulo mukuvuluka ngwavo va MP vakusakula kulithwamina. Echi chazamikisa nambala yava MP vakusakula kuli Thwamina kupwa vakwesekesa kuli vaze vakusakusakula kupwa mu Zuvo ya Jishimbi.

6. Repeal and Replacement of Article 71 - KUFUMISA NAKWALUMUNA CHA CHIHANDE 71

Legal Text

(1) A nomination for a candidate of a constituency-based seat is valid if the candidate—

(a) has paid a prescribed election fee to the Electoral Commission; and

(b) is supported by at least fifteen persons registered as voters in the constituency in which the candidate is contesting for election.

(2) A nomination for a seat under the proportional representation electoral system, referred to in Article 47 (2) (b) is valid if a prescribed election fee is paid to the Electoral Commission.

Mazu Ajishimbi Mukuhashiwisa

Chihanda echi chinatongola vyatondeka mangana kusakula chauze mwemana chipwenga chakwitavila. Muthu uze mwemanyina chihela chakositichuwesi atela kufweta ndando vatongola kuli va ECZ kaha nawa vatela kumuhakwila kuli vathu vakuheta 15 valisonekesa vakufuma mukositichuwesi mwemanyina.

Kuheta kuvitwamo vyakupanga kwesekesa naseteko vetavila, kwitavila muthu nge ize ndando vatongola vanyifwete kuli vaka ECZ. Chihande echi shikaho chikhiko chatongola ovyo vyakuputukilahho muthu mwemana namauka amilingu vatela kusuulwisa shimbu kanda vavetavile kupwamo mukusakula.

Echi Chalumbukila Mulihi?

Kwalumuna echi chaneha chalumbunuka nge woseena muthu mwaska kwima vamusakule atela kusuulwisa vyuma vimwe vyakuputukilahho chosena navamwitavila kwimana. Kuheta kuvitwamo vyakupandama kukositichuwesi, uze mwemana atela kufweta ize ndando vatongola nakusolola kuhakwila chavathu 15 vakufuma muze mukositichuwesi.

Kwiza kuvitwamo vyakupanga mukwesekesa kwimana chamuthu navachitavila nge ize ndando vatongola vanayifwete. Mukavatu, chihanda echi chahaka jishimbi atela kukava uze mwemana naliuka lyamilingu numba vavetavile kwimana.

7. Amendment of Article 73 - KWALUMUNA NAKUSHISHISA CHIHANDE 73

Legal Text

Article 73 (2) of the Constitution is amended by the insertion of the words “and determined” immediately after the word “heard”.

Mazu Ajishimbi Mukuhashiwisa

Chihanda 73 (2) vanachalumuna mangana kupwenga kusolola hatoma kuli vemanyina chihande echi vanahase kwivwa nakuyula vihande vyakupandama kukusakula.

Echi Chalumbukila Mulihi?

Kwalumuna echi chalumbununa nge vakazango yayinene (*High Court*) vayihana ngolo jakutala vihande vyakusakula vali nangolo jakuhituluka nakuyula havihande vyakupandama kukuvwota.

8. Amendment of Article 81 - KWALUMUNA CHA CHIHANDE 81

Legal Text

Article 81 of the Constitution is amended by the deletion of clause (3) and the substitution therefor of the following: (3) Parliament shall stand dissolved ninety days before the holding of the next general election but Members of Parliament shall be deemed to have served until a day before the next general election.

Mazu Ajishimbi Mukuhashiwisa

Chihanda 81 vanachalumuna chisolole nge palyamende navayisoka makumbi 90 shimbu kanda kusakula chalikungumbuwa nachizako, oloze va MP navatwalililaho kuvamona nge vachili nakuzata milimo yavo swi nomu nakusala likumbi limwe shimbu kanda kuvwota.

Echi Chalumbukila Mulihi?

Kwalumuna echi chalumbunuka nge palyamende nayisoka washi mangana kupwenga kulizanga navaykuvwota, oloze va MP navatwalililaho kuvamona nge vachili nakuzata milimo yavo swi nomu nakusala likumbi limwe shimbu kanda kuvwota.

9. Amendment of Article 103 - KWALUMUNA CHA CHIHANDE 103

Legal Text

Article 103 (2) of the Constitution is amended by the insertion of the words “and determine” immediately after the word “hear”.

Mazu Ajishimbi Mukuhashiwisa

Chihanda 103 (2) vanachalumuna nakusolola hatoma nge zango yatala vyajishimb I ja Lifuchi na Chyulo (*Costitutional Court*) ili nangolo jakwivwa vihande nakuyula vize vihandee nawa.

Echi Chalumbukila Mulihi?

Chihanda echi chalumbunuka nge zango (*Costitutional Court*) eyi inahase kwivwa nakuyula havihande vyakupandama kuli uze Thwamina vanasakula mumakumbi vahana akuheta 14.

10. Amendment of Article 116 - KWALUMUNA CHACHIHANDE 116

Legal Text

Article 116 of the Constitution is amended by the insertion of the following new clause immediately after clause (3):

(4) Notwithstanding clause (3), the office of Minister shall become vacant ninety days before a general election.

Mazu Ajishimbi Mukuhashiwisa

Chihanda echi chainalumbununa jila yayihya inalumbununa nge chihela cha Chilolo Wamuthango Wafulumende nachipwa chamupolongwa makumbi 90 shimbu kanda kuvwota chalikungumbuwa. Kusolola chachihya echi chinajimbangana jijila jekha vavuluka muchihanda 116 (3) hali Chilolo mwafuma hachihela chenyi.

Echi Chalumbukila Mulihi?

Hakulivanga, chihanda 116 (3) chasolwele jila yachihela cha Chilolo kusala chamupolongwa. Kwalumuna echi chanehamo jila yayihya yavuluka nge makumbi 90 shimbu kand kuvwota chalikungumbuwa, vihela vyosena vyavilolo vyafulumende navisala vyamupolongwa chipwe kupwa jishimbi jekha vavuluka muchihanda 116 (3).

11. Amendment of Article 117 - KUFUMISA NAKUSHISHISA CHACHIHANDE 117

Legal Text

Article 117 of the Constitution is amended by the—

(a) insertion of the following new clause immediately after clause (2):

(3) Notwithstanding clause (2), the office of Provincial Minister shall become vacant ninety days before a general election; and (b) renumbering of clause (3) as clause (4).

Mazu Ajishimbi Mukhashiwi

Hakulivanga Chihanda 117 (2) chavulukile ovyo navisoloka nge ufwishi ya Chilolo wa Polovishi inasale yamupolngwa. Kwalumuka echi jino chinaneheko jila yayihya yakuvuwamba ngwavo makumbi 90 shimbu kanda kupwenga kuvwota chalikungumbuwa, vihela vyosena vyavilolo vajipolovishi najipwa uno jamupolongwa chipwe tuhu kupwe vyekha vavuliuka mu chihanda 117 (2).

Echi Chalumbukila Mulihi?

Makumbi 90 shimbu kanda kusakula chalikungumbuwa, vihela vyosena vyavilolo vamujipolovishi navisala vyamupolongwa, chipwe tuhu kupwe vyekha vavuluka mu Chihnde 117(2).

12. Amendment of Article 149 - KWALUMUNA CHA CHIHANDE 149

Legal Text

Article 149 (7) of the Constitution is amended by the insertion of the word “electoral” immediately before the word “boundaries”.

Mazu Ajishimbi Mukhashiwi

Echi chihanda chinanehamo lizu lya “Vyakusakula” (“Electoral”) shimbu kanda lizu “Ngiza” (“Boundary”) muze muchihanda mangana kupwenga kulumbununa mutoma nge liuka lyavatala vyakusakula (Electoral Commission) vayihana ngolo jakupula jingiza vazachisa mumilimo yakusakula jakufwana nge jikositichuwesi chipwe jiwati.

Echi Chalumbukila Mulihi?

Hakulivanga, Chihanda 149 (7) chavulukile nge mulimo wa Komishoni yatala vyakusakula (ECZ) ikhiko ikwechi mulimo wakupula jingiza oloze kayulukile muyachi wajize jingizako. Kwalumuna echi jino chinakafwe kuvuluka mutoma

mulimo wa ECZ, kusolola hatoma-toma nge mulimo waliuka eli wapandama kujingiza vazachisa mukusakula.

13. Amendment of Article 153 - KWALUMUNA CHA CHIHANDE 153

Legal Text

Article 153 of the Constitution is amended—

(a) by the deletion of clause (2) and the substitution therefor of the following:

(2) A council shall consist of the following members:

(a) persons elected in accordance with clause (1);

(b) a Member of Parliament from each constituency within the district;

(c) a mayor or council chairperson elected in accordance with Article 154; and

(d) not more than three chiefs representing chiefs in the district, elected by the chiefs in the district;

(b) in clause (3), by the deletion of words “clause (2) (b)” and the substitution therefor of the words “clause (2) (d) ”;

(c) in clause (4), by the deletion of the words “excluding councilors specified under clause (2) (b),” and the substitution therefor of the words “ in accordance with clause (1)”; and

(d) by the insertion of the following new clause immediately after clause (6):

(7) Notwithstanding clause (6), members of a council shall be deemed to have served until a day before the next general election.

Mazu Ajishimbi Mukhashiwiwa

Chihanda 153 vanachalumuna mangana chilumbunune mutoma ovo navapwa muze mukasulu. Mukasulu mwatela kupwa vakasula vakusakula, va Mp vakufuma ku kositichuwesi hikositichuwesi muze mumbongi, Meyala chipwe Mukachitwamo wa Kaslu, navamyangana vakuvula kuheta kuvatatu vakufuma muze mumbongi. Kwalumuna echi chavuluka nawa nge vamembala vamukasulu navasala mu ufwishi swi nakulikumbi lya kusakula chalikungumbuwa.

Echi chaumbunukila mulihi?

Echi chalumbunuka nge mukasulu namupwa, vakasela, va Mp, Meyala chipwe Mukwachitwamo navyamyangana vakuheta kuvatatu kaha ava navapwa mujiufwishi jawo swi nahaze nakusala likumbi limwe shimbu kanda likumbi lyakusakula chalikungumbuwa.

14. Repeal and replacement of Article 154 - KUFUMMISA NAKUSHISHISA CHACHIHANDE 154

Legal Text

The Constitution is amended by the repeal of Article 154 and the substitution therefor of the following:

154. (1) There shall be a mayor and deputy mayor or council chairperson and deputy council chairperson for every council, as prescribed.

(2) A person is eligible to be elected as a mayor or council chairperson, if that person—

(a) is a citizen;

(b) is at least twenty-one years old;

(c) is a registered voter;

(d) has obtained, as a minimum academic qualification, a grade twelve certificate or its equivalent; and

(e) declares that person's assets and liabilities, as Prescribed.

(3) A mayor and council chairperson shall be elected directly, in accordance with Article 47 (4) during elections for councillors, as prescribed.

(4) A deputy mayor and a deputy council chairperson shall be elected by the councillors from amongst themselves.

Mazu Ajishimbi Mukhashiwisa

Chihanda 154 vanachifumisa mangana kasulu hikasulu nayipwa nameyala na Muhato wa Meyala chipwe Mukachitwamo wa Kasulu namuhato wenyi. Chinavuluka nawa ovyo atela kupwa navyo muthu vyakutesamo kumusakula kupwa Meyala chipwe Mukulwane wachitwamo kuhakilaho kupwa mwenyalifuchi, kupwa namyaka yakuheta kumyaka yaskusemuka 21, kupwa wakulisonekesa kuvwota nakupwa namuchato wakushikola wa Mango 12 chipwe ovyo vyakwesekesa hamwe. Kwalumuna echi chinahakilako nawa nge Meyala chipwe Mukwachitwamo navapwa vakusakula kuli vakakuvwota halwola lwakusakula cha Kasulu, shimbu vakasela navasakula Meya chipwe Muhato wa Mukachitwamo kufuma hakachi kavo.

Echi chalumnukila mulihi?

Kwalumuna echi chinalumbununa owo mwapwa thwamina vamukasulu nomwo navamusakwila. Mujimbaka namupwa meyalanamuhato wameyala. Mujikaslu jikwavo namupwa Mukulwane Wachitwamo Namuhato Wamukulwane Wachitwamo. Kaha kupwa Meyala chipwe Mukachitwamo muthu atela kupwa:

mwenyalifuchi, wakuheta myaka yakusemuka 21, wakulisonekesa kuvwota, nakupwa namuachato wakushikola wa Mango 12 chipwe vyakulifwana.

Kuhakilaho, chinalumbunuka nge vathu navavwotela meyala namuhato wenyi hakusakula chavamukasulu namihato javo kavechi kuvavwotela kuvathu hakuvwota chalikungumbuwako. Oloze, vakasela vakhiko navavasakula kufuma hakachi kavo.

15. Amendment of Article 159 - KWALUMUNA CBACHIHANDE 159

Legal Text

Article 159 (4) of the Constitution is amended by the insertion of the words “and determined” immediately after the word “heard”.

Mazu Ajishimbi Mukuhashiwisa

Chihanda echi chinanehemu mazu “and determine” (nakutongola) kufuma hamazu “heard”, “kwivwa) kusolola hatoma nge kufuma hakuhamika hakusakula chinalingika kukakana kusakula chakasela navachithetesa kuli vakakusopa vyakusakula, khamika echi kakwechi kupwa kuchivwa kahako oloze nawa kuchivatula mumakumbi 30.

Echi Chalumbukila Mulihi?

Kuhakamo chalizu “and determine” nachifumisa kuhona kwivwa kanawa hamulimo wa zango yakutala vyakusakula hakuyula vihande vinafumu hakusakula mukuhakaho mujila yakutamuka nakuyula chize chihande mumakumbi 30, kechi nge kwivwa kahako.

16. Amendment to Article 176

KWALUMUNA CHA CHIHANDE 176

Legal Text

Article 176 (3) of the Constitution is amended by the deletion of the word “ten” and the substitution thereof of the word “five” immediately before the word “years”.

Mazu Ajishimbi Mukuhashiwisa

Echi chahanda chinalumuna chuma chaimwe hali muthu navasakula kupwa Kasoneka Wa Kabineti *Secretary to the Cabinet* (SC”)kufuma hanyaka kupwa mumilimo pa PS hanyaka chipwe yakweseka hamwe nayo kufuma myaka 10 nakuneha ku 5.

Echi Chalumbukila Mulihi?

Echi chahanda cainalumbunuka nge kutepulula myaka yamuthu kutesamo kuhaka hachiehla cha SC kufuma myaka 10 nakuneha ku 5 nachihana lisesa vathu vavavulu kutesamo mukuvasakula kupwa hachihela echi. Kwalumuna echi nachivulisa vathu vakutesamo kulihana kuvasakula kupwa hachihela echi.

17. Amendment of Article 178 - KWALUMUNA CHA CHIHANDE 178

Legal Text

Article 178 (1) of the Constitution is amended by the—

(a) deletion of paragraph (b); and

(b) renumbering of paragraphs (c) and (d) as paragraphs (b) and (c), respectively.

Mazu Ajishimbi Mukuhashiwisa

Chihanda echi chajimbangana chihanda chamazu (b) awa avuluka ngwawo ufwishi ya *Attorney General* nayipwa yamupolongwa nge muthu wekha mwashisa hau Thwamina Walifuchi.

Echi chalumbunukia mulihi?

Hakavanga Jishimbi ja Lifuchi Nachiyulo kweseka nachihanda 178(1) (b) javulukile ngwajo nge vanasakula thwamina wamuhya, uze vasakwile kupwa AG halwola lwathwamine uzee apwileho mwafuma hachihela. Kufumisa chihanda (78 (1) (b) kufuma mu Jishimbi Jalifuchi Nachiyulo chinalumbunuka nge uze AG mwapwa hachihela chenyi swi nomu navasakula wekha kuli uze thwamina wamuhya. Echi nachikafwa kunungulula milimo mukachi kauze thwamina mwafumaho nauze mwashisamo chakuhona kuseza lihanya mu-ufwishi ya AG.

Vinasale vyamuze Mujishimbi Jalifuchi Nachiyulo vyakoandama kuupolongwa waufwishi ya AG navisala nge muze vyapwa.

18. Amendment of article- KWALUMUNA CHACHIHANDA 179

Legal Text

Article 179 (4) of the Constitution is amended by the—

(a) deletion of paragraph (b); and

(b) renumbering of paragraphs (c) and (d) as paragraphs (b) and (c), respectively.

Mazu Ajishimbi Mukuhashiwisa

Chihanda echi chinajimbangana chihanda (b) echi chavuluka nge ufwishi ya Solicitor General nayisala yamupolongwa nge nakwiza muthu wekha hachihela cha thwamina walifuchi.

Echi Chalumbunukila Mulihi?

Hakavanga, Jishimbi Jalifuchi nachiyulo kweseka nachihanda (b) chavulukile ngwajo omu nakwiza thwamina wamuhya vanasakula, uze apwanga hachihela chau SG halwola lwaThwamina apwangaho atela kufuma hachihela. Echi nachiseza haze hachihela kupwa hamupolongwa swi nomu navasakula thwamina wamuhya.

Kufumisa chihanda 179 (4) (b) chinalumbunuka nge uze SG mwasala hachihela chenye swi nomu navasakula wamuhya. Echi nachikafwa kunungulula milimo yachihela echi mukachi kathwamina uze mwafumaho nauze mwashisaho chakuhona kuseza lihanya mu-ufwishi ya SG.

Vinasale vyamuze Mujishimbi Jalifuchi Nachiyulo vyakoandama kuupolongwa waufwishi ya SG navisala nge muze vyapwa.

19. Amendment to Article 266 - KWALUMUNA CHA CHIHANDE 266

Legal Text

Article 266 of the Constitution is amended by —

(a) the deletion of the definitions of “adult”, “by-election”, “child”, “election”, “general election” and “term” and the substitution therefor of the following in the appropriate places in alphabetical order:

“adult” means a person who has attained the age of eighteen years;

“child” means a person who is below the age of eighteen years;

“election” means an election to the office of President, Member of Parliament, mayor, council chairperson or a councillor;

“general election” means elections to the office of President, Member of Parliament, mayor, council chairperson or a councillor, when held on the same day;

“term” means a period commencing when Parliament or a council first sits, after a general election, ending when Parliament is dissolved, except as is provided under Article 106; and

“youth” means a person who has attained the age of eighteen years, but is below the age of thirty-five years; and

*(b) the insertion of the following new definitions in the appropriate places:
“constituency-based seat” means a seat in the National Assembly that is held by a Member of Parliament elected under the first-past-the-post electoral system;
and*

“ward-based seat” means a seat in a council that is held by a councilor elected under the first-past-the-post electoral system.

Mazu Ajishimbi Mukuhashiwisa

Jishimbi Jalifuchi Nachiyulo vanajalumuna hakufumisa kulumbununa chamaza “mukulwane, kanyike, kusakula, kusakula chalikungumbuwa, thando” nakushishisamo mazu awa:

(i) Mukulwane

Chihanda echi chinavuluka mukulwane napu uze muthu nahetesa myaka yakusemuka 18.

(ii) Kanyike

“Child” (Kanyike) napu muthu ali namyaka yakusemuka ili mwishi yamyaka yakusemuka 18;

(iii) Kusakula

“Election” (Kusakula) chinalumbunuka kusakula muthu kupwa thwamina Walifuchi, membala wamu Palyamende, Meyala, thwamina wakasulu chipwe Kasela;

(iv) Kusakula Chalikungumbuwa

“General Election” (Kusakula Chalikungumbuwa) chalumbununa kusakula muthu kupwa thwamina walifuchi, membala wamu Palyamende, Meyala, Mukachitwamo Wakasulu chipwe Kasela chakulingila halikumbi lyolimwe;

(v) Thando

“Term” (Thando) chalumbunuka lwola lwakuputukila hakuliwana chamahako wamu Palyamende chipwe Kasulu navaliwana chatete, kufuma hakuwakula chalikungumbuwa nakukumina haze nakupwa kusoka Palyamende kufumisaho vize vanavuluka mu Chihande 106;

(vi) Vakweze/vasanda

“Youth” (vakweze/vasanda) chalumbunuka muthu nahetesa myaka yakusemuka 18, oloze ali mwishi yamyaka yakusemuka 35.

Mu Jishimbi Jalifuchi Nachiyulo vanahakemo nawa kulumbununa echi chachihya:

(vii) Chihela Chakupndama Nangalila

“Constituency-based seat” – (Chihela Chakutesa Nangalila) chinalumbunuka chihela chamu Palyamende chamembala uze vavwotela kuzachisa jila yakuwana jivwoti jakuhambakana vakwavo.

“Ward-based seat” – Chihela mukasulu chakasela vasakula kweseka namuthu vanasakula kukava jila yakuwana jivwoti jajivulu kuhambakana vakwavo.