

GOVERNMENT OF ZAMBIA

ACT

No. 5 of 2015

Date of Assent: 14th August, 2015

An Act to amend the Referendum Act

[14th August, 2015

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Referendum (Amendment) Act, 2015, and shall be read as one with the Referendum Act, in this Act referred to as the principal Act.

Short title

Cap. 14

2. The principal Act is amended by the insertion of the following new section:

Insertion of
new section
1A

1A. In this Act unless the context otherwise requires—

Interepreta-
tion

“ Commission ” means the Electoral Commission established by the Constitution;

Cap. 1

“Director” means the Director appointed under the Electoral Commission Act; and

Cap. 17

“referendum officer” means a person appointed by the Commission to be—

(a) a district referendum officer;

(b) a returning officer;

(c) a presiding officer;

(d) a polling assistant; or

(e) a counting assistant;

and includes a person appointed by a referendum officer under subsection (2) of section *eight* or the Director where functions are conferred on the Director under this Act, in respect of a referendum.

Amendment
of section 3

- 3.** Section three of the principal Act is amended—
- (a) in subsection (1), by the deletion of the word “All” and the substitution therefor of the words “Subject to subsection (2), all”;
 - (b) by the insertion, immediately after subsection (1), of the following new subsection:
 - (2) Any question put to a referendum under Article 79 of the Constitution shall be voted on by not less than fifty percent of persons entitled to be registered as voters for the purposes of Presidential and Parliamentary elections.; and
 - (c) by the consequential renumbering of subsections (2) and (3) as (3) and (4), respectively.

Repeal and
replacement
of section 4

- 4.** The principal Act is amended by the repeal of section *four* and the substitution therefor of the following:

Administra-
tion of Act
and
supervision
of
referendum

- 4.** The Commission shall be responsible for the administration of this Act and for supervising a referendum held pursuant to section *two*.

Repeal of
section 5

- 5.** The principal Act is amended by the repeal of section *five*.

Repeal and
replacement
of section 6

- 6.** The principal Act is amended by the repeal of section *six* and the substitution therefor of the following:

Procedure of
Commission
Cap. 17

- 6.** Section *eight* of the Electoral Commission Act applies to the Commission.

Amendment
of section 8

- 7.** Section *eight* of the principal Act is amended by the deletion of subsection (6).

General
amendment

- 8.** The principal Act is amended by the deletion of the words “Director of Elections” wherever they appear and the substitution therefor of the word “Director”
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