

GOVERNMENT OF ZAMBIA

ACT

No. 1 of 1996

Date of assent: 3rd March, 1996

An Act to amend the Public Order Act

[3rd March, 1996

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Public Order (Amendment) Act, 1996, and shall be read as one with the Public Order Act, in this Act referred to as the principal Act.

Short title

Cap. 104

2. The principal Act is amended in section *two* by the deletion of the definition of the word "uniform".

Amendment
of section 2

3. The principal Act is amended by the repeal of section *three*.

Repeal of
section 3

4. The principal Act is amended in section *five* by the deletion of subsections (4) to (7), inclusive, and the substitution therefor of the following:

Amendment
of section 5

(4) Any person intending to assemble or to convene a public meeting, procession or demonstration shall notify the police in writing of such intent fourteen days before the meeting.

(5) the notice required under subsection (4) shall be in the prescribed form and shall contain an undertaking by the persons intending to assemble or convene a public meeting, procession or demonstration that order and peace shall be maintained through the observance of the following conditions:

(a) that they have been informed by the Police that the site for the meeting has not already been granted to another convener for the holding of a public meeting, procession or demonstration;

(b) that the route and the width of the route is suitable for the holding of processions in accordance with the width and route specifications for such purposes as specified by the Minister by statutory order;

(c) that marshals of a number sufficient to monitor the public meeting, procession or demonstration are available and shall co-operate with the police to ensure peace and order;

(d) that the commencement, duration and destination of the public meeting, procession or demonstration shall be notified to the Police;

(e) that the public meeting, procession or demonstration shall not create a risk to security or public safety, a breach of the peace or disaffection amongst the inhabitants of that neighbourhood; and

(f) that the conveners of the meeting, procession or demonstration have been assured by the Police that at the time the proposed activity shall be held it will be possible for it to be adequately policed.

(6) Where it is not possible for the Police to adequately police any particular public meeting, procession or demonstration, the regulating officer of the area shall, at least five days before the date of the public meeting, procession or demonstration, inform the conveners of the public meeting, procession or demonstration in writing the reasons for the inability of the Police to police the public meeting, procession or demonstration and shall propose an alternative date and time for the holding of such public meeting, procession or demonstration.

(7) Where the Police notify the conveners of a public meeting, procession or demonstration that it is not possible for the Police to adequately police any proposed public meeting, procession or demonstration, such public meeting, procession or demonstration shall not be held.

(8) If the conveners of a public meeting, procession or demonstration are unsatisfied with the reasons given by the regulating officer under subsection (6) they may immediately appeal to the Minister who shall decide and inform the conveners in writing of his decision on the matter, within a period of five days.

(9) Where any person is aggrieved by the decision of the Minister, that person may appeal that decision to the High Court within thirty days of the making of the decision.

(10) The requirement for notification under subsection (4) shall not apply to a procession that is commonly or customarily held without Police involvement or is a funeral procession held in the normal course of such event.

(11) The notice referred to under subsection (4) shall be delivered to a Police Station—

(a) in the case of a meeting, in the police area in which the meeting is to take place; or