

GOVERNMENT OF ZAMBIA

ACT

No. 3 of 2011

Date of Assent: 12th April, 2011.

An Act to amend the Juveniles Act.

[15th April, 2011.

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Juveniles (Amendment) Act, 2011, and shall be read as one with the Juveniles Act, in this Act referred to as the principal Act.

Short title

Cap. 53

2. The principal Act is amended by the repeal of section *one hundred and twenty-two* and the substitution therefor of the following:

Repeal and
Replacement
of section
122

122. Where, in any criminal or civil proceedings against any person, a child below the age of fourteen is called as a witness, the court shall receive the evidence, on oath, of the child if, in the opinion of the court, the child is possessed of sufficient intelligence to justify the reception of the child's evidence, on oath, and understands the duty of speaking the truth:

Evidence of
child of
tender years

Provided that—

- (a) if, in the opinion of the court, the child is not possessed of sufficient intelligence to justify the reception of the child's evidence, on oath, and does not understand the duty of speaking the truth, the court shall not receive the evidence; and
- (b) where evidence admitted by virtue of this section is given on behalf of the prosecution, the accused shall not be liable to be convicted of the offence unless that evidence is corroborated by some other material evidence in support thereof implicating the accused.

