

## GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 8 OF 2001

**The Legal Practitioners Act**  
(Laws, Volume 8, Cap. 30)

**The Practitioners' (Conveyancing and Non-Contentious  
Matters) (Costs) Order, 2000**

IN EXERCISE of the powers contained in section *seventy* of the Legal Practitioners Act, and on the recommendation of the Remuneration Committee, the following Order is hereby made:

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| <p>1. (1) This order may be cited as the Legal Practitioners' (Conveyancing and Non-Contentious Matters) (Costs) Order, 2000.</p> <p>(2) This Order shall apply in respect of any business done in any conveyancing or non-contentious matter after the publication of this Order.</p> <p>2. Where in any conveyancing and non-contentious matter, costs are to be charged or allowed, such costs shall be in accordance with the scale of costs set out in the Schedule to this Order.</p> <p>3. On taking instructions, a practitioner shall agree with the client the fee scale to be applied in accordance with the scales set out in the Schedule to this Order.</p> <p>5. The Legal Practitioners' (Conveyancing and Non-Contentious Matters) (Costs) Order, 1997, is hereby revoked.</p> | <p>Title and application</p> <p>Scale of costs</p> <p>Agreement with client on fee scale</p> <p>Revocation of S.I. No. 135 of 1997</p> |
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SCHEDULE  
(Paragraph 3)

PART I

SCALE OF PRACTITIONERS' COSTS APPLICABLE TO NON CONTENTIOUS MATTERS

First Column	Second Column (Applicable part of this Schedule)	Third Column (Applicable fee)
<b>1. ATTENDANCE:</b>		
1.01 Not purely formal and including attendance to take instructions generally and to advise on, and for preparation of, any document (other than any document prepared in respect of the transactions appearing in Heads 7, 8, 9.02 and 10 hereof), as well as attendance for consultations and advise on any legal matter	II	
1.02 Attending to research into the law and undertaking preparatory work as per client's instructions	III	
1.03 Attendances purely formal including attending to file document in any public or other office, attending upon receipt of a letter, fax, telegram, E-mail or other means of written communication, attending to swear Affidavit, bespeak copies or authenticate documents or attending to advise client on progress or discuss matter	III	
1.04 Attending on client on the telephone advising or reporting on progress or seeking further instructions including phone calls made to any other party or office in pursuance of the client's instructions	III	
1.05 Attending before any governmental agency or authority, municipal or central Government	II	
1.06 Waiting to attend before any governmental agency or authority, municipal or central Government including waiting generally		A fee equivalent to one half of the fee Prescribed

First Column	Second Column (Applicable part of this Schedule)	Third Column (Applicable fee) in Part II
2. DRAWING DOCUMENTS:		
2.1 Drawing any document other than the documents appearing under Heads 7, 8, 9.2 and 10, including preparing letters and reports	II	
2.2. For any page or part thereof of photographic, printed or carbon copy of the original		K250.00
3. OPINIONS:		
On a matter in which civil litigation is not contemplated:		
3.01 In writing	II	
3.02 Oral	III	
4. PERUSALS:		
Of any document or collating documents	III	
5. COMMUNICATIONS:		
5.01 For any letter, E-mail, telegram, telex or telefax for each page		K2,000
5.02 General fee for letters, petties, messengers, incidentals, etc 10% of the total bill (excluding disbursements) (minimum)		K250,000
5.03 Telephone and telefax, E-mail within Zambia-per unit of three minutes or part thereof		K30,000
5.04 International telephone calls-Practitioners entitled to recover the actual cost of the telephone call or fax transmission		
6. TRAVELLING AND OUT OF STATION ALLOWANCE:		
6.01 Travelling to a destination beyond the practitioner's station to attend to the matter or transaction		A fee equivalent to One half of the fee in Part II of this Schedule of the time taken on the journey using the most economical but convenient means of transport available in the circumstances; subject to a maximum of ten hours for single journey (one way)

First Column	Second Column (Applicable part of this Schedule)	Third Column (Applicable fee)
6.02 For any night spent outside the practitioner's station, and occasion by a delay related to the conduct of the matter or transaction		A fee equivalent to one half of the appropriate fee in Part II of this Schedule, subject to a maximum of ten hours on any single journey (one way)
6.03 For any night spent outside the Practitioner's station, and occasioned by a delay related to the conduct of the matter or transaction		A fee equivalent to one half of the appropriate fee in Part II of this Schedule, subject to a maximum of ten hours on any single journey (one way)
6.04 Travelling within the practitioner's locality or station to attend to the Matter or transaction		A fee equivalent to the appropriate fee in Part II of this schedule
N.B. If travel is by personal motor vehicle the practitioner shall be entitled to reasonable amounts expended on fuels		
7. COSTS CHARGEABLE IN RESPECT OF:		
7.01 Assignments and transfers of land		
7.02 Mortgages, debentures, including supplemental, further or any floating charges or any other documents or security for securing an advance of money or any charge pursuant to statute or any bond		
7.03 Companies mergers, shares sale, swap or exchange agreements, joint ventures		
7.04 Agreements for the sale of any moveable property or rights therein		
7.05 Loan agreements		
7.06 Deed of Gift		
		A fee of not more than ten per centum of the consideration, advance, price or as the case may be, on the value thereof in addition to any applicable fee chargeable in this Part of this Schedule with a minimum of K 500,000.00: Provided that when a practitioner represents both parties in any matter the scale costs chargeable shall be halved in respect of the assignee.

First Column	Second Column (Applicable part of this Schedule)	Third Column (Applicable fee)
		mortgagor, any chargee, purchaser of shares or moveable property or the loanee, etc.
7.07 Application for State consent or any renewal thereof (per property)		K150,000.00
7.08 Preparing Form DR 53 (per property)		K100,000.00
7.09 Discharging Property Transfer Tax and obtaining Tax Clearance Certificate (including completing all necessary forms) (per property)		K250,000.00
7.10 Discharge of mortgage (per property) (minimum)		K500,000.00
8. Costs chargeable in respect of licences or leases (at rack rent)		A fee of not more than ten per centum of the annual rent with a minimum of K500,000.00 NOTE: Where a practitioner represents both the licensor or lessor and the licensee or the lessee the licensee or the lessee pays half of the scale costs of the Licensor or the lessor.
1. Probate and Administration of Estates		
9.01 Costs chargeable on the administration of estates of deceased persons		The appropriate fee in Part II of this Schedule
9.02 Application for probate or letters of administration		A fee of not more than ten per centum calculated on the gross world or gross Zambian estate as the case may be
10. Costs chargeable on the formation of a company:		
10.1 For instructions to incorporate a company, advising on articles of the company and general on the provisions of Companies Act, Cap. 388, to settling Articles of the company		A fee not exceeding 10% of the share capital with minimum of K750,000

First Column	Second Column (Applicable part of this Schedule)	Third Column (Applicable fee)
10.2 Where articles are formulated and are substantially different from Table A of the Act		The applicable fee as appears in Part II of this Schedule
10.03 Increase of capital		A fee not exceeding 10% of the increased portion of the Capital with a minimum of K750,000 In addition to the fees prescribed in 10.01 to 10.03 above, a practitioner shall be entitled to reasonable charges for printing and engrossing not exceeding ten per centum of the total bill (excluding disbursements) or K250,000 whichever is higher
2. Commission chargeable on collection of debts		The charge shall be not more than ten per centum of the amount recovered

NOTES: (a) This part shall not apply to a debt recovered after commencement of litigation touching the debt, unless there is agreement to apply this scale, after commencement of such litigation

(b) a Practitioner shall not apply both this part and the Legal Practitioners (Costs) scales applicable to High Court and Subordinate Court Proceedings even where there is agreement, a Practitioner can only apply either of the scales

First Column	Second Column (Applicable part of this Schedule)	Third Column (Applicable fee)
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(c) This part shall be applied in contentious business where one party to the litigation touching the debt, grants indulgence to the other party, to pay the debt in instalments

12. Investment licences, manufacturing licences, trading licences etc

The applicable fee as appears in Part II of this Schedule

13. WILLS, POWERS OF ATTORNEY:

Preparing, engrossing and attending to execution of Wills and Powers of Attorney, such fee as may be reasonable taking into account the time and labour involved and the complexity of the Will or Power of Attorney involved (minimum) K250,000.00

II

14. AFFIDAVITS, NOTARIAL FUNCTIONS AND CERTIFICATION OF DOCUMENTS:

14.1 Attending to Commission an Affidavit (maximum)

20,000.00

14.2 Certifying a document (maximum)

50,000.00

14.3 Performing Notarial function (per document) (Maximum)

250,000.00

PART II

	A fee not exceeding per hour or proportionately for any part thereof
1. A Practitioner of less than five years standing Experience or Legal Executive	K260,000.00
2. A Practitioner of more than five but of not more than ten years standing and experience	K350,000.00
3. A Practitioner of more than ten but of not more than fifteen years standing and experience	K400,000.00
4. A Practitioner of fifteen or more years standing and experience	K490,000.00
5. State Counsel	K550,000.00



## PART III

	A fee not exceeding (per hour or proportionately for any part thereof)
1. A Practitioner of less than five years standing experience or Legal Executive	K100,000.00
2. A Practitioner of more than five but of not more than ten years standing and experience	K165,000.00
3. A Practitioner of more than ten but of not more than fifteen years standing and experience	K200,000.00
4. A Practitioner of fifteen or more years standing and experience	K275,000.00
5. State Counsel	K350,000.00

LUSAKA  
21st January, 2001  
[J.105/1/4]

M. M. S. W. NGULUBE,  
*Chief Justice*