

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 45 OF 2008

The Local Government Act
(Laws, Volume 16, Cap. 281)

The Mazabuka Municipal Council (Pole Levy)
By-Laws, 2008

IN EXERCISE of the powers contained in section *eighty-four* of the Local Government Act, the following By-Laws are hereby made:

1. These By-Laws may be cited as the Mazabuka Municipal Council (Pole Levy) By-Laws, 2008. Title

2. In these By-Laws, unless the context otherwise requires— Interpretation
 - “area” means the area under the jurisdiction of the Council;
 - “check point” means any place within the area designated by the Council for the payment of pole levy;
 - “collector” means an officer or employee of the Council or any person or agent authorised by the Council to collect revenue for the Council;
 - “company” means the Zambia Telecommunications Company Limited, the Zambia Electricity Supply Corporation Limited or any other company erecting a pole or poles for the supply of electricity or the provision of telecommunication services or any agent appointed by any such company;
 - “Council” means the Mazabuka Municipal Council; and
 - “pole” means any piece of wood or steel pylon or anything used to support any overhead wire or cable that transmits electrical power or telegraphic messages.

3. A company which erects or maintains within the area, any pole for the supply of electricity or telecommunication services shall pay a pole levy to the Council at the following rates: Imposition of pole levy

(a) one thousand two hundred kwacha per steel pylon per year; and

(b) six hundred kwacha per wooden pole per year.

No erection
or
maintenance
of pole
without
payment of
pole levy

4. A company shall not erect or maintain a pole for the provision of electricity or telephone services in the area for which a pole levy has not been paid to the Council.

Place and
time of
payment of
pole levy

5. Pole levy shall be paid at the beginning of the year to a collector who shall, immediately after receipt of the payment, issue an official receipt for each such payment.

Offences
and
penalties

6. (1) A person who contravenes these By-Laws commits an offence and is liable, upon conviction—

(a) to a fine not exceeding eighty penalty units or to imprisonment for a period not exceeding six months, or to both and

(b) in the case of a continuing contravention, to a fine of sixteen penalty units for each day during which the contravention continues.

(2) In addition to any penalty prescribed by sub by-law (1), the court may order that any expenses incurred by the Council in consequence of such contravention shall be paid by the company committing the contravention.

Made by the Mazabuka Municipal Council this 26th day of March, 2008.

E. CHEELO,
Mayor
Mazabuka Municipal Council

E. CHINGANGU,
Town Clerk
Mazabuka Municipal Council

Confirmed by me this 10th day of April, 2008.

LUSAKA
[MLGH.102/51/12]

S. T. MASEBO,
Minister of Local Government
and Housing