

**CHAPTER 107**  
**ZAMBIA POLICE ACT**

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FIRST SCHEDULE

SECOND SCHEDULE

**AN ACT**

**to provide for the organisation, functions and discipline of the Zambia Police Force and of special constables and for matters incidental thereto.**

[4th March, 1966]

Act 43 of 1965,

Act 40 of 1974,

Act 23 of 1985,

(/)

Act 13 of 1994,

**PART I**  
**PRELIMINARY**

**1. Short title**

This Act may be cited as the Zambia Police Act.

**2. Interpretation**

In this Act, unless the context otherwise requires—

“**Assistant Commissioner**” includes a Senior Assistant Commissioner;

“**discharge**” means the removal, after due notice, from office of a police officer;

“**dismiss**” means the removal, without due notice, from office of a police officer;

“**divisional commander of police**” means a superior police officer appointed by the Inspector-General to be in charge of a police division, or, if no such officer has been appointed in relation to any police division, the Inspector-General;

“**due notice**” means the notice of retirement, resignation, discharge or dismissal, as the case may be, that a police officer is required to give or to be given in accordance with the conditions of service applicable to him;

“**Hertzian waves**” has the meaning assigned to it under the Radio communications Act;

[Ins by s 2 of Act 14 of 1999.]

“**Inspector**” includes a Chief Inspector, a Senior Inspector and an Sub-Inspector;

“**Inspector-General**” means the Inspector-General of Police;

“**officer in charge of police**” means the police officer appointed by the Inspector-General to be in charge of the police stationed in any place;

“**pay**” means the salary of a police officer in his substantive rank, but does not include any allowances which have not been specifically stated to be pensionable;

“**police officer**” means any member of the Force;

“**police radio device**” means any apparatus used by the police or belonging to the police for the transmission and reception of sound, graphic images or impulses wholly or partially by Hertzian waves;

[Ins by s 2 of Act 14 of 1999.]

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(1)

**“police station”** means any place appointed by the Inspector-General to be a police station and includes any local area policed from such station;

**“police telecommunication device”** means apparatus or facilities belonging to the police or used by the police for transmission and reception of—

- (a) speech, music or other sounds;
- (b) visual images;
- (c) electronic or other data;
- (d) signals capable of being interpreted as or converted to sounds, images or data; or
- (e) signals for actuation or control of machinery or apparatus:

whose principal utilises electrical, magnetic, electromagnetic or electrochemical energy or any combination of them;

[Ins by s 2 of Act 14 of 1999.]

**“postal article”** means every article collected for conveyance by post and includes telegram and any bag, box, basket, parcel, hamper or other container or covering in which a postal article is conveyed;

[Ins by s 2 of Act 14 of 1999.]

**“public place”** includes—

- (a) any highway, market place, square, road, street, bridge or other way which is lawfully used by the public;
- (b) any place, other than a building, to which the public are for the time being entitled or permitted to have access either without any condition or upon condition of making any payment;

**“superior police officer”** means any police officer of or above the rank of Assistant Superintendent;

**“telecommunication”** has the meaning assigned to it under the Telecommunications Act;

[Ins by s 2 of Act 14 of 1999.]

**“telecommunications apparatus”** has the meaning assigned to it under the Telecommunications Act;

[Ins by s 2 of Act 14 of 1999.]

**“the Force”** means the Zambia Police Force established by law;

**“Tribunal”** means a police officer empowered under this Act to try offenders under section 30;

**“vehicle”** means any mechanically propelled machine intended for use, or capable of being used, on roads and includes a bicycle and tricycle.

[Ins by s 2 of Act 14 of 1999.]



(/)

**PART II**  
**COMPOSITION AND ADMINISTRATION**

**3. Inspector-General to have entire command**

(1) The Inspector-General shall, subject to the orders and directions of the President, have the command, superintendence, direction and control of the Force.

(2) The Inspector-General may, subject to the general instructions of the Minister and to the provisions of this Act and any regulations made thereunder, from time to time make standing orders for the general government of police officers in relation to their training, arms and accoutrement, clothing and equipment, places of residence, classification and duties, as well as to their distribution and inspection, and such other orders and instructions as he may deem expedient for preventing neglect and for promoting efficiency and discipline of police officers in the discharge of their duties.

(3) Save where a contrary intention appears, the Inspector-General may delegate any of the powers vested in him by this Act or any regulations, rules, orders or notices made thereunder or, by any other written law, to a police officer not below the rank of Assistant-Commissioner.

[S 3 am by Act 40 of 1974.]

**4. Composition of the Force**

(1) The Force shall consist of such numbers of the ranks set out in the First Schedule as the President may direct.

(2) Police officers shall rank for seniority in the order shown in the said Schedule.

(3) Where a police officer, other than a superior police officer, has been appointed to the Criminal Investigation Department or Special Branch, the word "Detective" shall precede the title of the rank held but the rank and seniority of such officer shall be the same as if he had not been so appointed.

(4) The President may, by statutory instrument, amend the First Schedule.

**5. Functions of the Force**

The Force shall be employed in and throughout Zambia for preserving the peace, for the prevention and detection of crime, and for the apprehension of offenders against the peace and, for the performance of such duties, may carry arms.

**6. Administration of the Force**

(1) The administration of the Force throughout Zambia shall be vested in the Inspector.

(2) The control of the police in any place shall be vested in such police officer as may be appointed by the Inspector-General under this section to be in charge thereof.

(3) An officer in charge of police shall carry out the orders of the Inspector-General in all matters connected with the discipline, internal administration and training of the police officers in his charge.

(4) A police officer of or below the rank of Sub-Inspector shall not be appointed an officer in charge of police.

[S 6 am by Act 40 of 1974.]

### **PART III**

### **ATTESTATION, SERVICE AND DISCHARGE**

#### **7. Attestation**

A police officer shall on his joining the Force be attested to serve in the Force for such period and on such conditions as may be prescribed.

#### **8. Declaration on joining the Force**

(1) A person shall on joining the Force make and sign a declaration before a magistrate or superior police officer in such manner as he may declare to be most binding on his conscience in Form 1 of the Second Schedule.

(2) A person on joining the Force shall, before making the declaration required by sub-section (1), answer truly any question which may be put to him as to his previous service in any military, naval or air force or any other police force, and as to whether he has at any time been convicted in Zambia or elsewhere of a felony or misdemeanour.

(3) Any person who wilfully makes a false statement in reply to a question put to him under sub-section (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred penalty units or to imprisonment for a period not exceeding one month.

[S 8 am by Act 13 of 1994.]

#### **9. Prolongation of service in case of war**

Any police officer whose period of service expires during, or who would but for the provisions of this section resign during, any state of war, insurrection or hostilities may be retained and his service prolonged for such further period as the Minister may direct.

#### **10. Termination of appointment of certain police officers**

The appointment of any police officer appointed by the Inspector-General may, within six months of his making and signing the declaration required by section 8 be terminated by 14 days' notice on either side or payment of 14 days' salary *in-lieu* of notice.

[S 10 am by Act 40 of 1974.]

#### **11. Release on completion of service**

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(1) Subject to the provisions of this Act, every police officer who has completed his period of service shall be released from service by the officer in charge of police at the place where he is stationed, unless at the date of completion of his service he stands charged with the commission of any offence against discipline under section 30, in which case his service shall be prolonged and his release from service deferred until he has undergone his trial and any punishment which may be imposed in respect of the offence charged.

(2) Every such police officer shall, until he has received a certificate of service, remain subject to the provisions of this Act.

## **12. Arms and accoutrements to be delivered up on ceasing to belong to the Force**

(1) When a person ceases to be a member of the Force, he shall forthwith deliver up to the person appointed by the Inspector-General for that purpose, or to the officer in charge of police at the place at which he was last stationed, all arms, ammunition, accoutrements, uniform and other appointments which have been supplied to him and which are the property of the Government.

(2) Any person who, having ceased to be a member of the Force, fails to deliver up any arms, ammunition, accoutrements, uniform or other appointments in his possession as required by this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding four hundred penalty units or to imprisonment for three months, or to both, and the Court which convicted him may issue a warrant to search for and seize all such arms, ammunition, accoutrements, uniform and other appointments not so delivered up.

[S 12 am by Act 40 of 1974, 13 of 1994.]

## **PART IV** **POWERS, DUTIES AND PRIVILEGES OF POLICE OFFICERS**

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