

THE LOCAL GOVERNMENT ACT
SECTION 84-THE LOCAL GOVERNMENT (STREET VENDING AND
NUISANCES) (NO. 2) REGULATIONS
Regulations by the Minister

CAP. 281

Statutory
Instrument
134 of 1992
Act No.
13 of 1994

1. These Regulations may be cited as the Local Government (Street Vending and Nuisances) (No. 2) Regulations.

Title

2. Subject to Regulation 3 any person who does any act specified in the First Schedule shall be guilty of an offence and shall, in respect of that offence, be liable, on conviction, to a fine set out in that Schedule.

Offences and
penalties

3. (1) Where any person is summoned under these Regulations to appear before a subordinate court or is arrested or informed by a police

Admission of
guilt

officer that proceedings will be instituted against him, in respect of any offence committed under these Regulations, but who does not wish to appear in court, he may, before appearing in court to answer the charge against him, sign and deliver to the prescribed officer an Admission of Guilt form set out in the Second Schedule. Cap. 88

(2) Where any person admits in accordance with sub-regulation (1), that he is guilty of the offence charged the procedure set out in section one hundred and twenty-one of the Criminal Procedure Code shall apply, with the necessary modifications, and he shall pay, in respect of that offence, the fine set out in the First Schedule.

(3) For the purposes of this regulation "prescribed officer" means any police officer of or above the rank of Sub-Inspector.

4. The Local Government (Street Vending and Nuisances) Regulations, 1992, are hereby revoked. Revocation of
S.I. No. 54 of
1992

FIRST SCHEDULE

(Paragraph 2)

	<i>Penalty units</i>
1. Spitting or vomiting on, or along, a street or prescribed road	2
2. Throwing litter on, or along, a street or prescribed road	2
3. Passing urine in any unauthorised place	8
4. Defecating in any unauthorised place	20
5. Singing an obscene song or saying obscene word/words in a street or public place	2
6. Writing an obscene word or drawing an indecent figure or representation or, defacing a permanent structure	40
7. Wilfully or negligently extinguishing or damaging a street lamp, damaging a lamp-post, telephone or electric light wire, cable, insulator or bracket or standard supporting any such cable or, causing an interruption in the supply of electric current by any means whatsoever, without the permission of the Council or its authorised agent	40 per day
8. Plying trade by any licensed hawker within an area on more than five days in a calendar month, in the same place for more than thirty consecutive minutes or plying on two or more occasions during twenty-four consecutive hours in the same place.	40
For the purpose of this By-law "place" means a square having sides 91.4 metres in length the centre of which is the piece of ground actually occupied for the time being by the hawker in plying his trade.	
9. Sale of local produce in any street or in any public place, other than a market established by the Council, except with the permission of the Council:	
(a) Food	20 per day
(b) Any other item or produce	28 per day
10. Depositing or allowing to accumulate or keeping upon any premises any dirt, filth, refuse, rubbish or, any offensive matter or matter likely to become offensive	40 per day
11. Offering or exposing for sale or depositing in any place for the purpose of sale or preparation for sale and intended for the consumption of man, any animals, carcass, meat, poultry, game, fresh fish, fruit, vegetables, corn, bread flour, milk, butter, eggs or other food which is diseased or unsound or unwholesome or unfit for human consumption	40 per day
12. Keeping any of the products in item 11 on one's premises or, owing any such products	20 per day

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| 13. Exposing for sale, meat, bread, cakes, cheese, dried fruits, fish, butter or other perishable food-stuffs other than in fly-proof and dust-proof containers or in such other manner as the Council, on advice of the Medical Officer of Health may approve | 40 per day |
| 14. Occupying any brickyard, quarry, market, garden or other land without any title, lease or licence | 20 per day |
| 15. Sale, other than sale negotiated between the parties privately, exposure of goods for sale by auction or otherwise within the area, or placing wares, merchandise, awnings or packages or materials of any description in any part of the area used by persons in common without the previous written permission of the Council | 40 per day |
| 16. Exposing for sale unwrapped bread or unpackaged sugar, salt or any consumable foodstuff | 40 per day |
| 17. Omitting to do or, doing a thing which is, or may be offensive, dangerous to life, or injurious to health | 20 per day |
| 18. Unauthorised tyre mending along a street or premises | 20 per day |
| 19. Operating an unlicensed taxi | 40 per day |
| 20. Heavy vehicle parking in any unauthorised place | 40 per day |
| 21. Unlicensed tailoring business along a street or premises | 40 per day |
| 22. Selling unwrapped bread | 1 per loaf |

(As amended by Act No. 13 of 1994)

SECOND SCHEDULE (Paragraph 3)

ADMISSION OF GUILT FORM

THE PEOPLE versus
WITH REFERENCE to the charge of

in answer to which I have been required to appear before the Subordinate Court (Class)
on the .19..... I hereby admit that I am guilty
of the offence charged and request that sentence may be passed in my absence. I deposit herewith-

- (a) the sum of penalty units being the maximum amount of the fine which may be imposed by the court (or as the case may be, the amount fixed by the prescribed officer);
- (b) as security for the payment within one month, of any fine which may be imposed on me by the court.

I have received a notice and statement of facts relating to the charge referred to above (which has been interpreted and explained to me).

Signature
(or thumb print)

INTERPRETER'S CERTIFICATE

(where applicable)

I certify that I have interpreted the foregoing to the accused person whose signature appears above, and to the best of my knowledge he has understood its meaning.

Signature

DEPOSIT RECEIPT

RECEIVED:

- (a) the sum of _____ penalty units; or
- (b) _____ the above mentioned security.

Signature
(Prescribed Officer)
Witness

NOTES-(a) In no circumstances whatsoever is a member of the Zambia Police Force other than a prescribed officer to accept any sum of money the subject of this receipt;

(b) A receipt for the sum deposited, or any portion thereof, which is subsequently refunded should be obtained whenever practicable on the reverse of the triplicate copy of this form.