

Zambia

Employment (Special Provisions) Act, 1966

Chapter 270

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Zambia

Employment (Special Provisions) Act, 1966

Chapter 270

Commenced on 29 July 1966

[This is the version of this document at 31 December 1996.]

[Acts No. 29 of 1966; 13 of 1994]

An Act to make special provision with respect to employment during any period when a declaration under section 29 of the Constitution is in force; and to provide for matters incidental thereto.

1. Short title

This Act may be cited as the Employment (Special Provisions) Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"**employee**" means any person who has entered into or works under a contract of service, whether the contract is express or implied, is oral or in writing, and whether the remuneration is calculated by time or by work done, or is in cash or in kind.

3. Application

The provisions of this Act and of any regulations made under this Act shall have effect only during a period when a declaration of a State of Emergency under the Constitution is in force.

[Cap. 1]

4. Regulations with respect to employment

- (1) The President may, by statutory instrument, make such regulations as appear to him to be necessary or expedient in the public interest for securing the continued employment of employees and for regulating the conditions of service of employees whose continued employment is secured by virtue of the regulations.
- (2) Without prejudice to the generality of the powers conferred by subsection (1), regulations under that subsection may make provision for—
 - (a) prohibiting the dismissal or the termination in any other manner of the employment of employees, whether or not previous notice of such dismissal or termination has been given to the employees, except in such circumstances and upon such conditions, if any, as may be prescribed by or under the regulations, including provision prohibiting any such dismissal or termination except with the approval of an officer or authority specified by or appointed under the regulations;
 - (b) the establishment of a tribunal for the purpose of reviewing the decisions of an officer or authority referred to in paragraph (a), including provision with respect to—
 - (i) the constitution of the tribunal;
 - (ii) the persons who may apply to the tribunal for the review of any such decision;
 - (iii) the circumstances and manner in which and the conditions upon which any such application for review may be made;

- (iv) the powers, practice and procedure of the tribunal in relation to any such application for review;

and may make or authorise the making of such incidental, supplemental and consequential provisions as appear to the President to be expedient for the purposes of the regulations.

(3) Regulations under this section may—

- (a) exempt or provide for the exemption of any person or class of persons from the operation of all or any of the provisions of the regulations;
- (b) make different provision with respect to different areas in Zambia, different persons or classes of persons and different circumstances;
- (c) prescribe penalties for contraventions of or failure to comply with the provisions of the regulations, not exceeding a fine of fifteen thousand penalty units.

[As amended by Act [No. 13 of 1994](#)]

5. Repugnancy with other enactments

Regulations made under section four and anything done under the authority of such regulations shall have effect notwithstanding anything inconsistent therewith contained in any other enactment having the force of law in Zambia other than this Act, the Constitution, the Emergency Powers Act or the Preservation of Public Security Act; and for so long as regulations made under section four have the force of law, any provision of such an enactment shall, to the extent of the inconsistency, have no effect.

[Cap. 1; [Cap. 108](#); [Cap. 112](#)]

6. Republic not bound

Nothing in this Act or in any regulations made under this Act shall be construed as binding the Republic.