

GOVERNMENT OF ZAMBIA

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STATUTORY INSTRUMENT NO. 6 OF 1994

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**The Privatisation Act**  
(Act No 21 of 1992)

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**The Privatisation (Political Leaders and Public Officers)  
(Bidding) Regulations, 1994**

IN EXERCISE of the powers contained in section *forty-nine* of the Privatisation Act, 1992, the following Regulations are hereby made:

1. These Regulations may be cited as the Privatisation (Political Leaders and Public Officers) (Bidding) Regulations, 1994.

Title

2. (1) In these Regulations, unless the context otherwise requires—

Interpretation

" Agency " means the Zambia Privatisation Agency established under section *three* of the Act;

" Director " means the Director of the Privatisation Agency;

" political leader " means any of the following persons or their spouses;

(a) the President, Vice President, Speaker of National Assembly, Minister, Leader of the Official Opposition in Parliament, Deputy Speaker, Deputy Minister and Member of Parliament; and

(b) members of the executive of all registered political parties;

" public officer " means any of the following persons or their spouses:

State House Chief of Staff, Secretary to the Cabinet, Special Assistants to the President, Deputy Secretary to the Cabinet and Permanent Secretaries.

(2) For the purposes of these Regulations, a person shall not be considered as holding a public office by reason only of the fact that he is in receipt of a pension or other like allowance in respect of service as a public officer.

Disclosure  
of intention  
to bid

3. (1) A political leader or public officer who is desirous of purchasing shares in any state-owned enterprise or any of its assets shall—

(a) not less than twenty-one days before bidding, disclose his intention to bid at least once in the *Gazette* or a national daily newspaper of general circulation; and

(b) when submitting his bid, lodge with the Director a copy of the issue of the *Gazette* or newspaper in which his intention was disclosed.

(2) A bid that does not comply with the provisions of these regulations shall not be considered by the Agency and shall be void.

Disclosure  
of interest in  
companies

4. (1) A political leader or public officer who has shares in a limited liability company or partnership which is desirous of bidding for shares or assets of a particular state-owned enterprise shall advertise at least once in the *Gazette* or a national daily newspaper of general circulation the intention of his company or partnership to bid.

(2) When a company or partnership referred to in sub-regulation (1) submits its bid, it shall also submit a copy of the *Gazette* or newspaper in which the disclosure referred to therein was made.

(3) A bid that does not comply with the provisions of these regulations shall not be considered by the Agency and shall be void.

Unsuccessful  
bidders' fees,  
charges and  
expenses

6. The Agency shall not refund costs, fees, charges or expenses or expenses incurred by unsuccessful bidders.

LUSAKA  
7th January, 1994  
(MCI.101/6/32)

A. S. HAMBAYI,  
*Minister of Commerce, Trade  
and Industry*