

Zambia

Honours and Decorations (Prevention of Abuses), 1967

Chapter 9

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Honours and Decorations (Prevention of Abuses), 1967

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Zambia

Honours and Decorations (Prevention of Abuses), 1967

Chapter 9

Commenced on 27 January 1967

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

[5 of 1967; 13 of 1994]

An Act to provide for the prevention of the improper use of and dealing in insignia; to prohibit the exercise of undue influence in connection with the grant of honours; to provide for the control and regulation of the grant of honours to citizens of Zambia by foreign states; and for matters incidental thereto.

1. Short title

This Act may be cited as the Honours and Decorations (Prevention of Abuses) Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"**competent authority**" means the authority or person to whom an insignia is required to be surrendered under any Proclamation when a person is deprived of an honour or rank of honour;

"**foreign state**" means any state or the government thereof other than Zambia or the Government of Zambia;

"**honour**" means an office of honours and decorations instituted and created by the President;

"**insignia**" includes any badge, chain, cross, decoration, medal, ribbon or star declared by the President to be an insignia by which an honour or rank of honour is to be distinguished;

"**Secretary**" means Secretary to the Cabinet.

3. Prohibition of improper use of insignia

(1) Any person who—

- (a) uses or wears any badge, chain, cross, decoration, medal, ribbon or star so nearly resembling any insignia as to be calculated to deceive; or
- (b) falsely represents himself to be a person who is or has been entitled to use or wear any insignia; or
- (c) without authority, uses or wears any insignia; or
- (d) without authority, uses any designation, letters, initials or abbreviations authorised by the President in respect of any insignia; or
- (e) uses a description so nearly resembling any designation, letters, initials or abbreviations authorised by the President as to be calculated to deceive; or
- (f) being a person who has been deprived of an honour awarded to him refuses to surrender to a competent authority the insignia by which that honour is distinguished when requested to do so by that authority;

shall be guilty of an offence.

- (2) Any person who sells or pledges or purchases or takes in pawn any insignia, or solicits or procures any person to sell or pledge any insignia, or acts for any person in connection with the sale or pledging thereof, shall be guilty of an offence:

Provided that it shall be a valid defence to a charge under this subsection if the person charged proves that, at the time of the alleged offence, the person to whom the honour distinguished by that insignia was awarded was dead.

4. Prohibition of undue influence

- (1) Any person who accepts or obtains or agrees to accept or attempts to obtain from any person, for himself or for any other person, or for any purpose, any gift, money, benefit or valuable consideration as an inducement or reward for procuring or assisting or endeavouring to procure the award of any honour to any person or otherwise in connection with the procuring of the award of any honour shall be guilty of an offence.
- (2) Any person who gives or agrees or proposes to give or offers to any person any gift, money or valuable consideration as an inducement or reward for procuring or assisting or endeavouring to procure the award of any honour to any person or otherwise in connection with the procuring of the award of any honour shall be guilty of an offence.

5. Control of foreign honours

- (1) Except with the prior approval of the President in writing, no person who is a citizen of Zambia shall accept a title of honour, decoration or other dignity from any foreign state.
- (2) The approval of the President under subsection (1) may be given subject to such conditions as the President may impose.
- (3) Any person who contravenes the provisions of subsection (1) or any condition imposed by the President under subsection (2) shall be guilty of an offence.

6. Provisions as to evidence in proceedings under this Act

- (1) A certificate purporting to be signed by the President or by a person authorized by the President and alleging—
- (a) that a decoration described in or annexed to the certificate is an insignia; or
 - (b) that a person named in the certificate has or has not, as the case may be, obtained the approval of the President under section five before accepting a title of honour, decoration or other dignity from a foreign state;
- shall be admissible in any proceedings under this Act as *prima facie* evidence of the facts stated therein.
- (2) Any document purporting to be a document issued by the President under section five, or purporting to be a true copy thereof certified under the hand of the Secretary, shall be admissible in any proceedings under this Act as *prima facie* evidence of the facts stated therein.

7. Penalties

- (1) Any person who is guilty of an offence under this Act shall be liable on conviction to a fine not exceeding one thousand and five hundred penalty units or imprisonment for a term not exceeding three months, or to both.

- (2) Where, on the conviction of a person under section four, the person convicted received any gift, money or valuable consideration which is capable of forfeiture, the court may order that such gift, money or valuable consideration shall be forfeited.

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

8. Regulations

The President may, by statutory instrument, make regulations providing for—

- (a) the manner in which, and the occasions on which, insignia may be worn, and the mode of dress appropriate to the wearing of insignia;
- (b) the return of insignia on the death of a person to whom an honour has been awarded.