

**THE ZAMBIA MEDICINES AND  
MEDICAL SUPPLIES AGENCY ACT, 2019**

---

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY PROVISIONS

*Section*

1. Short title and commencement
2. Interpretation

PART II

THE ZAMBIA MEDICINES AND MEDICAL SUPPLIES AGENCY

3. Establishment of Medical Stores Limited as Zambia Medicines and Medical Supplies Agency
4. Seal of Agency
5. Functions of Agency
6. Constitution of Board of Agency
7. Functions of Board
8. Delegation of functions of Board
9. Tenure of office and vacancy
10. Proceedings of Board
11. Committees
12. Allowances
13. Disclosure of interest
14. Director-General
15. Secretary and other staff
16. Emoluments and other conditions of service of Director-General, Secretary and other staff
17. Immunity

PART III

THE MEDICINES AND MEDICAL SUPPLIES FUND

18. Establishment of the Medicines and Medical Supplies Fund
19. Administration of Fund
20. Accounts and audit of Fund
21. Annual report of Fund

PART IV

FINANCIAL PROVISIONS

- 22. Funds of Agency
- 23. Financial year
- 24. Accounts and audit of Agency
- 25. Annual report of Agency

PART IV

GENERAL PROVISIONS

- 26. Prohibition of publication or disclosure of information to unauthorised persons
- 27. Regulations
- 28. Savings and transitional provisions

SCHEDULE

GOVERNMENT OF ZAMBIA

**ACT**

No. 9 of 2019

~~Date of Assent: 6th November 2019~~  
**An Act to provide for an efficient and cost-effective system  
for the procurement, storage and distribution of medicines  
and medical supplies; establish Medical Stores Limited  
as the Zambia Medicines and Medical Supplies Agency  
and provide for its functions; and provide for matters  
connected with, or incidental to, the foregoing.**

[12th November, 2019]

ENACTED by the Parliament of Zambia

PART I

Enactment

PRELIMINARY PROVISIONS

**1.** This Act may be cited as the Zambia Medicines and Medical Supplies Agency Act, 2019, and shall come into operation on the date appointed by the Minister by statutory instrument.

Short title  
and  
commence-  
ment

**2.** In this Act, unless the context otherwise requires—

“Agency” means the Zambia Medicines and Medical Supplies Agency established in accordance with section 3;

Interpretation

“appointed date” means the date appointed by the Minister under section 1;

“associate” has the meaning assigned to the words in the Anti-Corruption Act, 2012;

“Board” means the Board of the Agency constituted in accordance with section 6;

Act No. 3 of  
2012

“Chairperson” means the person appointed as Chairperson of the Board in accordance with section 6

“Company” means the Medical Stores Limited existing in accordance with the Companies Act, 2017, and existing immediately before the appointed date;

“diagnostic Centre” means a laboratory or radiological service, or any other related service;

---

	“Director-General” means the person appointed as Director-General of the Agency in accordance with section 14;
	“emoluments” has the meaning assigned to the word in the Constitution;
Cap. 1	“health facility” has the meaning assigned to the words in the Health Professions Act, 2009;
Act No. 24 of 2009	“Health Professions Council of Zambia” means the Health Professions Council of Zambia established under the Health Professions Act, 2009;
Act No. 24 of 2009	“hospice” has the meaning assigned to the word in the Health Professions Act, 2009;
Act No. 24 of 2009	“hospital” has the meaning assigned to the word in the Health Professions Act, 2009;
Act No. 24 of 2009	“legally disqualified” means the absence of legal capacity as provided in section 4 of the Mental Health Act, 2019;
Act No. 6 of 2019	“medical supplies” means products or materials used in the delivery of healthcare services and include pharmaceuticals, non-pharmaceuticals, nutraceuticals, vaccines and therapeutic antisera, medical equipment and devices, medical appliances and materials, health technologies, laboratory supplies and reagents, dental materials, hospital consumables, and any other material or equipment as may be necessary for the delivery of healthcare services in Zambia;
	“medicine” means medicine for human use, herbal medicine for human use, a medicinal product for human use or any substance or mixture of substances for human use intended to be used, or manufactured for use, for its therapeutic efficacy or for its pharmacological purpose in the diagnosis, treatment, alleviation, modification or prevention of disease or abnormal physical or mental state or the symptoms of disease in a person;
	“member” means the person appointed as a member of the Board in accordance with section 6;
	“public health facility” means a health facility owned or operated by the Government;
	“relative” has the meaning assigned to the word in the Anti-Corruption Act, 2012;

“Secretary” means the person appointed as Secretary to the Board in accordance with section 15;

Act No. 3  
of 2012

“supply chain” means a system of organisations, activities, information, and resources involved in moving a product or service from a supplier to a customer;

“Vice-Chairperson” means the person elected as Vice-Chairperson of the Board in accordance with section 6; and

“Zambia Qualifications Authority” means the Zambia Qualifications Authority established under the Zambia Qualifications Authority Act, 2011.

## PART II

### THE ZAMBIA MEDICINES AND MEDICAL SUPPLIES AGENCY

Act No. 13  
of 2011

**3.** (1) Despite any other written law, the Medical Stores Limited existing in accordance the Companies Act, 2017, is continued and is deemed to be established under this Act and renamed as the Zambia Medicines and Medical Supplies Agency.

Establishment  
of Medical  
Stores  
Limited as  
Zambia  
Medicines  
and Medical  
Supplies  
Agency  
Act No. 10  
of 2017

(2) The Agency is a body corporate with perpetual succession and a common seal, capable of suing and of being sued in its corporate name, and with power, subject to the provisions of this Act, to do all acts and things that a body corporate may, by law, do or perform.

**4.** (1) The seal of the Agency shall be a device that the Agency may determine and shall be kept by the Secretary.

(2) The affixing of the seal shall be authenticated by the Chairperson or the Vice-Chairperson and the Secretary or any other person the Board authorises for that purpose.

Seal of  
Agency

(3) A contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal, may be entered into or executed without seal on behalf of the Agency by the Secretary or any other person the Board authorises, generally or specifically, for that purpose.

(4) A document purporting to be a document under seal of the Agency or issued on behalf of the Agency shall be received in evidence and shall be considered to be so executed or issued, without further proof, unless the contrary is proved.

**5.** The functions of the Agency are to—

(a) procure, store and distribute medicines and medical