

**THE CONSTITUTION OF ZAMBIA ACT,
2016**

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GOVERNMENT OF ZAMBIA

ACT

No. 1 of 2016

Date of Assent: 5th January, 2016

An Act to provide for the printing and publication of the Constitution; to provide for the savings and transitional provisions of existing State organs, State institutions, administrations, offices, institutions and laws; to provide for the savings of succession to assets, rights, liabilities, obligations and legal proceedings; and to provide for matters connected with, or incidental to, the foregoing.

[5th January, 2016

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Constitution of Zambia Act, 2016.

Short title

- 2.** (1) In this Act, unless the context otherwise requires—
- “Constitution” means the Constitution of Zambia, 1991, in force immediately before the effective date;
- “effective date” means the date of the commencement of this Act and the Constitution as amended as provided in section *four*; and
- “existing laws” means the Laws of Zambia as they exist immediately before the effective date, including any statutory instrument issued or made before that date which is to come into force on, or after, the effective date.

Interpretation

Cap. 1

(2) Except where the context otherwise requires, words and expressions used in this Act have the same meaning as in the Constitution as amended.

Amendment of Constitution of Zambia Act, 1991, and Schedule thereto Cap. 1	3. Except as provided under this Act, the Constitution of Zambia Act, 1991, and the Constitution in the Schedule to that Act are amended in so far as they form part of the laws of Zambia.
Commencement of Constitution as amended Act No. 2 of 2016	4. Subject to this Act, the Constitution as amended in Act No. 2 of 2016 shall come into operation on the commencement of this Act.
Printing and publication of Constitution Cap. 1	5. The Constitution may be printed and published by the Government Printer separately from this Act, and the production of a copy of the Constitution purporting to be so printed shall be <i>prima facie</i> evidence in courts and for all purposes in connection with the Constitution as its provisions.
Existing laws	6. (1) Subject to the other provisions of this Act, and so far as they are not inconsistent with the Constitution as amended, existing laws shall continue in force after the commencement of this Act as if they had been made in pursuance of the Constitution as amended, but shall be construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with the Constitution as amended. (2) Parliament shall, within such period as it shall determine, make amendments to any existing law to bring that law into conformity with, or to give effect to, this Act and the Constitution as amended.
Executive Cap. 1 Cap. 1	7. (1) The President shall continue to serve as President for the unexpired term of that office as specified by the Constitution in accordance with the Constitution. (2) A person holding the post of Vice-President, Minister or Deputy Minister shall continue to hold that position under the Constitution until that appointment is terminated by the President in accordance with the Constitution.
Prerogative of mercy	8. The prerogative of mercy bestowed on the President under the Constitution as amended may be exercised in respect of any criminal offence committed before the effective date.
Rights, duties and obligations of Government	9. Rights, duties and obligations of the Government subsisting immediately before the effective date shall continue as rights, duties and obligations of the Government under the Constitution as amended.