An Act to amend the Referendum Act

[14th August, 2015]

ENACTED by the Parliament of Zambia.

1. This Act may be cited as the Referendum (Amendment) Act, 2015, and shall be read as one with the Referendum Act, in this Act referred to as the principal Act.

2. The principal Act is amended by the insertion of the following new section:

1A. In this Act unless the context otherwise requires—

“Commission” means the Electoral Commission established by the Constitution;
“Director” means the Director appointed under the Electoral Commission Act; and
“referendum officer” means a person appointed by the Commission to be—

(a) a district referendum officer;
(b) a returning officer;
(c) a presiding officer;
(d) a polling assistant; or
(e) a counting assistant;

and includes a person appointed by a referendum officer under subsection (2) of section eight or the Director where functions are conferred on the Director under this Act, in respect of a referendum.
3. Section three of the principal Act is amended—
   (a) in subsection (1), by the deletion of the word “All” and
      the substitution therefor of the words “Subject to
      subsection (2), all”;
   (b) by the insertion, immediately after subsection (1), of the
      following new subsection:
       (2) Any question put to a referendum under
            Article 79 of the Constitution shall be voted on
            by not less than fifty percent of persons entitled
            to be registered as voters for the purposes of
            Presidential and Parliamentary elections.; and
   (c) by the consequent renumbering of subsections (2) and
       (3) as (3) and (4), respectively.

4. The principal Act is amended by the repeal of section four
   and the substitution therefor of the following:

4. The Commission shall be responsible for the
   administration of this Act and for supervising a referendum
   held pursuant to section two.

5. The principal Act is amended by the repeal of section five.

6. The principal Act is amended by the repeal of section six
   and the substitution therefor of the following:

6. Section eight of the Electoral Commission Act applies to
   the Commission.

7. Section eight of the principal Act is amended by the deletion
   of subsection (6).

8. The principal Act is amended by the deletion of the words
   “Director of Elections” wherever they appear and the substitution
   therefor of the word “Director”