



UPND: We may have a few political setbacks, but REPLACING HH NOT AN OPTION

Court vacates injunction which restrained continued works at Kingsland City

By Zondiwe Mbewe

COURT of Appeal judge Mubanga Kondolo has vacated the injunction which restrained Zambia Airforce Projects Limited, Kingsland City Investment Limited, among others, from continuing works at Kingsland City.

On February 17, this year, judge Kondolo granted Chalimbana Headwaters Conservation Trust Limited and nine traditional leaders of the Soli people an injunction restraining the continued works at Kingsland City.

Story page 6

By Ulande Nkomesha
UPND secretary general Stephen Katuka says the party has no plans of replacing president Hakainde Hichilema, despite its past defeat to the Patriotic Front and the poor performance in recently held by-elections.

In an interview Katuka said the party was shocked to hear about social media reports suggesting that he and party chairperson Mutale Nalumango had devised a scheme to replace Hichilema as party president.

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Democratic Party lawyer Musa Mwenye SC (c) with Party Secretary General Precious Ntambu, and Justine Nkonge at the Court of Appeal yesterday

Simusamba abruptly sets judgement date in Kambwili's forgery case

By Zondiwe Mbewe

LUSAKA Principal Resident Magistrate David Simusamba yesterday closed a case in which NDC leader Chishimba Kambwili is charged with forgery, uttering a false document and giving false information to a public officer and set October 12, this year, as date of judgement.

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PF has created 'dependency syndrome' to perpetuate its stay in office, says Kalala

By Sipilisiwe Ncube

JACK Kalala says PF government officials have created a dependency syndrome among the youth and other vulnerable groups in society to continue exploiting them for their personal interests and perpetuate their stay in office.

In an interview, Kalala said the ruling party had no genuine programme for the youth despite unveiling various empowerment initiatives because young people, among others, were perpetually dependent on politicians for their survival.

Story page 3

ECZ online registration will disenfranchise rural voters - Sinkamba

Story page 2

DP wins deregistration appeal, as judge asks State not to act arbitrarily

By Zondiwe Mbewe

THE Court of Appeal has upheld the ruling of the Lusaka High Court which quashed the decision by the Registrar of Societies to deregister Harry Kalaba's

Democratic Party (DP).

The State had appealed against this decision on four grounds, but the Court of Appeal threw out the appeal, Monday, further deciding that the

public authorities such as the Registrar of societies must never act wantonly and arbitrarily but must act proportionately and respect the rights of citizens.

Story page 3

Tribalism, handouts won't save PF in 2021 - Kalaba

By Ulande Nkomesha

DEMOCRATIC Party president Harry Kalaba says the tribal politics and vote buying being practiced by the ruling PF will not save them in 2021.

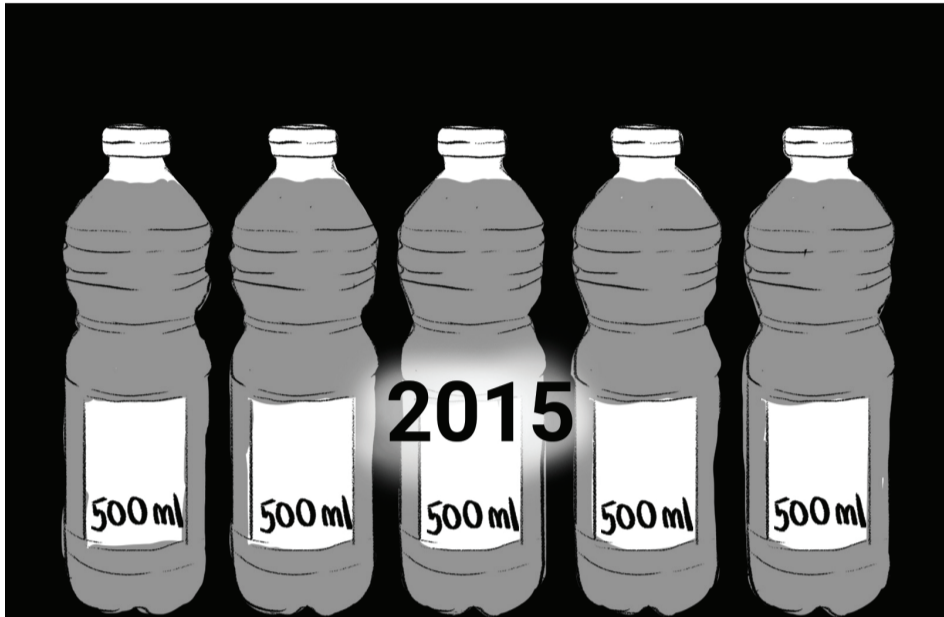
Story page 2

CCPC warns schools against forcing parents to buy identical face masks

Story page 10

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By Sipilisiwe Ncube

GREEN Party president Peter Sinkamba says the Electoral Commission of Zambia's (ECZ) online voter registration process has potential to cause civil war because around 70 per cent of the country's population lack access to technology.

And Sinkamba says the ECZ can hire experts from the Zambia Statistics Agency (ZSA) to clean up the existing voter register so that any deceased voter is removed rather than having to compel the entire voter population to physically verify their particulars.

In an interview, Sinkamba argued that ECZ's online voter registration process had potential to cause civil strife because around 70 per cent of the country's population lacked access to technology, such as smart phones.

"In this country, we do not have more than 75 per cent of the population connected to smart phones to do online registration. The misadventure, which ECZ is trying to move the nation to, is going to be costly and can cause civil war. So, the ECZ needs to be very careful that whatever they are doing may appear to be something of fun to them, but in essence, they are endangering their own lives and the lives of their children. I always give an example of Malawi and other African countries where the electoral commissions and their families have been victims of civil war. The electoral process where registration is going to be online is definitely not earnable in Zambia at the moment because we are talking about over 70 per cent of the population living in rural areas. And these people don't have access to smart phones, which they can be able to use," Sinkamba argued.

He stressed that there was no justification for the ECZ to abandon the old register, adding that the Constitution as well as the Electoral Act also provided for updating of the existing

ECZ online registration will disenfranchise rural voters – Sinkamba

register.

"The literacy levels are very low in this country, such that not everyone is able to do certain commands. We are saying that there is already a register, which has been produced in accordance with the Constitution of the Republic of Zambia. And at the moment, there is no justification whatsoever to abandon it (existing voter register) altogether. All that should happen is just to update it. That is what the Constitution and the Electoral Act say. And looking at the ECZ resources at their disposal at the moment, the resources in terms of funds and in terms of manpower, they do not have capacity to be able to produce a brand new register, which is going to have nine million, plus people. It is impossible to achieve that goal in one month or two months. The maximum they can do is 1.5 million people in six months. That is what has been proven prior," he said.

And Sinkamba proposed that ECZ hires experts from the ZSA to clean up that register.

"We want to appeal to the ECZ that let them abandon this route. This route is not helpful, it is not making any sense and we do not have the resources to be able to undertake it in terms of financial and also human resource. They gave a very fake excuse at first where they said, 'some people have died.' They were estimating almost 400 people have died. That is not a problem to clean up the register like that. Right now, the Ministry of Health has got an electronic system now, and also the police, in conjunction with the Ministry of Health and

the Department of Registration, have gone digital when it comes to registration of Brought-in-Dead (BID) people. They already have a register of people, who have died in hospital and people that have died from their homes in the last four years. All ECZ can do is to hire experts from the Zambia Statistics Agency to clean up that register so that those that have died are removed from that register. And then the political parties can come and verify the register after it has been cleaned up by experts. It is a simple job for Zambia Statistics to do. So, it shouldn't mean that the entire population of 10 million people must go and parade themselves to ECZ for ECZ to know who has died," he advised.

Sinkamba expressed disappointment in ECZ senior management for not acting in public interest.

"What the ECZ is doing is wrong. If I have already registered, I don't need to go and parade myself before ECZ, that is wrong. But if I want to change my polling station, then it is justified that I should go to ECZ. So, (Patrick) Nshindano, (Esau) Chulu and other commissioners should know that what they are doing is playing with fire! A voter register is a very sensitive document in the electoral process. And a register is a potential source of civil war in a nation if it is mismanaged. And the best they can do is to refrain from doing that as that is going to make the public lose confidence in the electoral process because of a sham register! And if they allow that situation, they will have to blame themselves for what will happen," warned Sinkamba.

Tribalism, handouts won't save PF in 2021 – Kalaba

By Ulande Nkomesha

DEMOCRATIC Party president Harry Kalaba says the tribal politics and vote buying being practiced by the ruling PF will not save them in 2021.

In an interview Kalaba, said PF had run out of ideas and had resorted to using tribalism as a strategy going into the 2021 general elections.

"The PF relies on tribal politics, PF is relying on tribalism and has taken advantage of the tribal politics that they have been playing in the past with other political players to perpetuate their advantage. We will see what type of politics they will use against Harry Kalaba in Luapula; we will see what type of tribalism they will use against Harry Kalaba in Muchinga; we will see what tribalism they will use against Harry Kalaba in Muchinga, in Northern Province, Copperbelt, Luapula, Central and those areas that have been considering to be their strong holds, because they have been using tribal remarks against the UPND leader to advantage themselves," Kalaba said.

"So, we will see what they will use because people without ideas are relying on tribal sentiments to push themselves ahead but that is coming to an end; because there is always time when people reject such kind of notions in our society, they are fed up with tribalism! Because they know if you are coming from Eastern Province we are all suffering. Fertilizer is a problem, even if you are coming from

the President's area in Eastern Province they are also complaining, I am here in Eastern Province. They are complaining about the lack of social amenities, they don't have medicines as well just as there is no medicine in Magoye. So what is there to say that we are going to vote for PF. PF is history! And we will make them history come next year."

Kalaba said even the money which PF had been dishing out to win by-elections would not save them in 2021.

"PF will lose the 2021 elections, what is making them win now in these by elections is not popularity, it is money which they are using. There is a time and limit in which that can be accepted in this country. At some point people will just eat their money and will lose because the price of mealie is still high. They have won Lukashya, they have won Mwansabombwe but the price of mealie meal is the same," said Kalaba.

"They have won all those by election but right now as you and I are speaking the levels of unemployment have remained high in this country. They have won those by election but our youths are still struggling with their parents in their homes. People can't go to colleges, people can't go to schools, schools are now open. So, what is there to vote for PF next year? What is there for PF next year? Everybody now has realised that PF are jokers and they will kick them out next year, it ends there!"

By Sipilisiwe Ncube

JACK Kalala says PF government officials have created a dependency syndrome among the youth and other vulnerable groups in society to continue exploiting them for their personal interests and perpetuate their stay in office.

In an interview, Kalala said the ruling party had no genuine programme for the youth despite unveiling various empowerment initiatives because young people, among others, were perpetually dependent on politicians for their survival.

“When you keep people poor and in need, they will always depend on you, and you will act like their ‘Father Christmas’ to give them what they need. But if you make them independent, self-sufficient and so on, they will make independent decisions.

These things happen in all dictatorships, keeping people always dependent on you so that you appear to be benevolent in their eyes. That is what they do. That is why you find that whenever there is money from anywhere, even from donors and so on, they get these monies to themselves. It is culturally holding the people of Zambia hostage so that they continue to be begging from them. They have no programme for the youth. The only programme for the youth is to give them bags of mealie meal, alcohol and so on so that they confuse them. They are destroying future generations by keeping them in need all the time,” Kalala bemoaned.

“President (Edgar) Lungu has been on record to challenge HH (Hakainde Hichilema) to say, ‘what have you done for

PF has created ‘dependency syndrome’ to perpetuate its stay in office – Kalala

the people?’ Forgetting that HH works for his money and not public money, but the money that the President uses is not his money, it is people’s money. So, he wants to make himself appear to be benevolent to the people, to be kind to the people so that they continue to vote for him and to vote for PF. When there is a by-election, they take mealie meal to hungry people, and the people have no choice. They are morally and psychologically corrupt so that they say, ‘these are well-wishers and so we need to put them in power so that they can continue to give us mealie-meal.’ An independent person who has money, who has sufficient food will make an independent

decision.” He observed that it was now a PF principle to keep youths and the needy in society vulnerable so that they could come to their aid during election time just to solicit votes.

“The aim of every government in the world is to make its citizens prosperous. But here, if you become prosperous, they will pull you down. Look at what they did to The Post Newspaper, look at what they did to the Prime TV, and look at what they have been trying to do to CEC (Copperbelt Energy Corporation) on the Copperbelt! We saw this happening during the time of the UNIP...anyone who tries to

prosper, they nationalised his business. So, the principle is to keep them in need all the time so that when you need them by giving them chitenges and a few things, they feel happy. This government of PF has failed to create not even a single job for the youths and for the people of Zambia. All the contracts have been given to foreigners. Even building toilets, they give them to foreigners. They do not want to empower Zambians, except those surrogates they know are supporting them,” Kalala complained.

He charged that government was afraid of a self-reliant citizenry because it feared that they would make independent

decisions.

“When people harvest their maize, they will tell them to private individuals, instead, sell to government.’ They want to control every little thing. You are not allowed to sell what you have produced yourself. In countries like Japan, they will say, ‘produce more and make more money so that you can become prosperous.’ But not in Zambia because they are scared of people prospering and people becoming independent-minded,” said Kalala, who once served as president Levy

Mwanawasa’s special assistant for policy implementation and monitoring.

“Those people are there to impoverish Zambians. That is why they have deliberately created an environment where there will be no investment. For any business to produce in Zambia, at least it needs power. But the PF, they have made sure that we have at least 12 hours of load shedding so that there is no business. Those are strategies they are using to make sure that everything collapses. What business can you do with 12 hours load shedding?”

DP wins deregistration appeal, as judge asks State not to act arbitrarily

By Zondiwe Mbewe

THE Court of Appeal has upheld the ruling of the Lusaka High Court which quashed the decision by the Registrar of Societies to deregister Harry Kalaba’s Democratic Party (DP).

The State had appealed against this decision on four grounds, but the Court of Appeal threw out the appeal, Monday, further deciding that the public authorities such as the Registrar of societies must never act wantonly and arbitrarily but must act proportionately and respect the rights of citizens.

Court of Appeal judge, Florence Lengalenga on behalf of two other judges upheld the decision of the High Court, saying the lower court was in order when it quashed the decision by Registrar of Societies to deregister the Democratic Party.

Judge Lengalenga has further dismissed all grounds of appeal by the State. The decision of the court of appeal means that the high court decision that directed that the duplicate certificate be printed and given to the party has been confirmed.

In 2018, Lusaka High Court Judge Sharon Nawa quashed the decision by the Registrar of Societies to deregister Democratic Party, saying their decision was not only illegal but irrational, unreasonable and procedurally improper.

Judge Nawa further directed the said Registrar of Societies to issue the party with a duplicate certificate of registration.

This was the matter in which the Democratic Party, through its national secretary Precious Ntambu, commenced judicial review proceedings challenging the registrar’s decision to cancel registration of

the party, arguing that it was illegal.

The Registrar deregistered DP on June 6, 2018, on ground that it had not addressed the issue of why it should not be cancelled.

But delivering judgement, Justice Sharon Nawa said the decision to cancel the registration of the party was illegal, irrational and procedurally improper.

“In this case, not only was the Registrar of Societies decision to cancel the registration of the applicant as a political party illegal, it was also irrational, unreasonable and procedurally improper and I declare so, and the applicant succeeds. I accordingly quash the registrar’s decision and direct the registrar of societies to issue the Democratic Party with a duplicate certificate of registration. The applicant is also awarded costs to be taxed in default of agreement, leave to apply is granted,” she had ruled.

And commenting on the decision by the Court of Appeal, DP Spokesperson Judith Kabemba said the Court’s ruling meant that the party was legally registered, adding that they shall continue preparing for next year’s general elections.

“This means that Democratic party is legally registered party and is therefore back with full force on the Registrar of Societies’ register to form government come 2021. This will go in history that those in leadership should never act by the influence of those in power. It is a lesson to madam [Thandiwe] Mhende, the chief Registrar of Societies. As DP we shall continue preparing for 2021 elections especially that we have beaten PF pants down,” said Kabemba.



SATURNIA REGNA PENSION FUND - REGISTERED TRUSTEES Press Statement

22 September 2020
LUSAKA

700 EX-KCM RETIREES PENSION BENEFIT

The Trustees of Saturnia Regna Pension Fund (“Saturnia”) have noted with dismay the statements issued by Mr. Ilunga Kasombe supposedly on behalf of the 700 Ex- KCM Miners regarding their pension benefits during their press briefing held on 20th of September 2020.

Mr Ilunga Kasombe made the following allegations at the press briefing;

- Over 700 ex KCM miners were members of the Saturnia Regna Pension Fund
- Saturnia was withholding pension benefits for these ex-miners against their will and this has caused a lot of hardship for them.
- Mr Hakainde Hichilema was unfairly holding back their pension as shareholder in the Fund and that he owned Saturnia.
- Saturnia Regna Pension Fund changed the law so as not to pay pensioners all their pension benefits.

The Trustees of the Fund would like to advise the members of the Fund, sponsoring employers, other keys stakeholder and the general public that the above allegations are untrue and unsubstantiated. The actual position on the above matters is as follows;

On Membership

The Ex KCM Miners demanding pension payment are not members of Saturnia. However, it is true that employees of KCM Plc participated in Saturnia from 2000 until 2007 when the company decided to segregate and set up their own stand-alone pension scheme. Therefore, all employees of KCM plc are accounted for under their own company pension fund which operates as a stand-alone Pension Scheme. The business of the KCM Plc Pension Trust Scheme (the Scheme), its assets (including those left in Saturnia for investment purposes), payment of member benefits and other administrative matters is presided and overseen by the Trustees of the KCM Plc Pension Scheme.

On Shareholders

Saturnia is a pension trust fund created under the Perpetual Succession Act of the laws of Zambia and does not have shareholders. The over 35 000 contributing members are the owners of the pension scheme and Trustees hold these assets on their behalf. Therefore, it’s not possible under the law for any individual to own or hold shares in a trust such as Saturnia.

On Payment of Pension Benefits

Saturnia has not withheld any pension benefits unnecessarily to any of its Members. All benefits are paid within the stipulated time as long as a member has filed in their claim form and meets the necessary conditions under the law and scheme rules. There is no outstanding claim on record at this point in time that has been brought to our attention. The Trustees would be happy to receive any such information on unsettled claims to enable the resolution of such cases.

In Zambia, the law that prescribes how pensions are to be paid is clause (vii) of the Income Tax Act Cap 323 of the Laws of Zambia. This law is to be complied with by all pension schemes in Zambia.

On Changing the Law

Saturnia has not changed any law. All pension payments in Zambia are governed by the Zambian laws. The same law applies to all pension funds that are managed in Zambia. No fund is able to change the law as all laws are Acts of Parliament and only Parliament can amend them.

Conclusion

We truly believe that the above statement helps to clarify the issues identified above. Those needing more information on the same should feel free to consult the Pensions and Insurance Authority and Zambia Revenue Authority as the enforcers of the relevant laws relating to pensions.

Saturnia remains the largest multi-employer pension fund in Zambia and the most well diversified fund in terms of its distribution of assets. We would like to thank our Members and the sponsoring employers for their continued support for the fund, despite unsubstantiated and unwarranted attacks that the Fund has endured over the past few years.

Issued by:



Board Chairperson – Board of Trustees
Saturnia Regna Pension Fund

Prima Reinsurance records 20% growth in premiums

By Diggers! Reporter
PRIMA Reinsurance Plc has recorded a 20 per cent surge in its Gross Written Premiums (GWP) in its half-year period ending June 30, 2020, defying the adverse COVID-19 effects, and posting a net profit of over K1.7 million.

But the company says it expects a reduction in its GWP in the second half of the year on the back of severely contracted economic activity brought about by the Coronavirus pandemic.

Announcing its unaudited financial results for the period ending June 30, Prima Reinsurance stated that it earned over K30 million in its GWP, up from around K25 million in the corresponding period last year, representing an increase of 20 per cent.

"The company operated in a challenging environment with the onset of the COVID-19 pandemic, where it witnessed unprecedented decline in private sector economic activity. Despite the pandemic, the company recorded growth of 20 per cent in GWP from ZMW25.35 million in 2019 to ZMW30.46 million in 2020. This was mainly as a result of a general increase in Life, Property and Engineering classes of business. Further, the Company saw an increase in the net earned premium by 37 per cent from ZMW9.07 million in 2019 to ZMW12.43 million in 2020," Prima Reinsurance stated.

"The company recorded a profit after tax of ZMW1.703

million for the first half of 2020 compared to a loss of ZMW5.45 million in the first half of 2019. The increase in the profit is attributed to a reduction in operating expenses and increase in other income arising mainly as result of the devaluation of the kwacha against the US dollar."

It added that the company's financial position remained robust with total assets up at over K76.6 million in the period under review.

"The company's financial position remains robust with total assets increasing from K65.24 million to K76.62 million. The net current assets position for the half-year ended June 30, 2020, was ZMW33.63 million," it stated.

But Prima Reinsurance stated that it expected a reduction in its GWP in the second-half of the year on the back of a severely contracted economic activity brought about by the Coronavirus pandemic.

"As a result of the projected contraction in the economic activity, the company expects a reduction in the GWP in the second half of the year. The focus, therefore, will be on cost containment and financial discipline as we are committed to remaining resilient in the face of the pandemic and providing a safe work environment," stated Prima Reinsurance.

"We are pleased to announce that the Company underwent a successful capital raise in July, 2020. The capital raise was structured as a renounceable rights offer and this was underwritten by the Industrial Development Corporation (IDC), an investment holding company owned by the Government of Zambia. Following this, the company now has an authorised share capital of K75m of which K45m is paid up. IDC now has a shareholding of 28.17 per cent in the company."

By Ulande Nkomesha
UPND secretary general Stephen Katuka says the party has no plans of replacing president Hakainde Hichilema, despite its past defeat to the Patriotic Front and the poor performance in recently held by-elections.

In an interview Katuka said the party was shocked to hear about social media reports suggesting that he and party chairperson Mutale Nalumango had devised a scheme to replace Hichilema as party president.

Katuka said the rumours were false and malicious, adding that it was delusional for anyone to allege that Hichilema had lost grip in UPND strongholds, just because of a few political setbacks.

"As UPND we are disturbed by a story making rounds on one of the online platforms alleging that I and party national chairperson have devised a well hatched scheme in which we plan to oust our party leader Mr Hakainde Hichilema from his position. We don't know where this is coming from. They feel that we have hatched a scheme to remove Hakainde and replace him, I don't know with who. We want to dispel such statements," Katuka said.

"It is a fallacy for the flammers of the defamatory and malicious statement to allege that president Hichilema has lost grip on the country, particularly Western Province, North Western Province and Southern Province due to the few political setbacks that the part has suffered in the recent past, especially in the wake of endless stage managed by-elections. There is no plan of any sort by the party. They first

We may have a few political setbacks, but replacing HH is not an option – UPND

misquoted Ms Nalumango that she said 'he must be replaced', which was not true she has never said and will never say that. Now they have included me, that I am also supporting the scheme, which is not true. I have never said anything."

Katuka said the party believed in Hichilema's leadership and that Hichilema was still the most happening man in the country.

"We still believe in his leadership. He has so far made this party intact up to now. If in 2006 we voted for Sakwiba Sikota there would be no UPND today. The man has kept the party together up to this time. So we must appreciate such a person. We wish to put it on record that Mr Hichilema is currently the most happening man in the country, whose popularity, which is evident for all to see, cannot be overlooked. Thus no rightful thinking individual would envision a new leader taking over from Mr Hichilema," Katuka said.

"I want to reaffirm, that I, Ms Nalumango and the entire UPND supports the able leadership of president Hichilema and wish to state in no uncertain terms that Mr Hichilema is our sole presidential candidate in the forthcoming 2021 tripartite elections, and even in 2026 and



UPND secretary general Stephen Katuka

above. They can do whatever they are trying to do to destabalise, we know where the schemes are coming from"

He said as far as the UPND was concerned, Hichilema had been scoring and cannot be replaced.

"We cannot replace a scoring number nine, that man is a striker who is scoring and then you replace him, you can't do that. So we support the candidature of president Hakainde in the 2021 elections. Even when we go for the convection we are going to

elect him. We are going to the general assembly sometime soon, we can assure you that we are going to elect him again because we see nothing wrong," said Kautuka.

"Therefore, we wish to warn media houses that are in a habit of fabricating and churning out unbalanced and fake news to desist from doing so, but instead verify each story before it is published, aired or televised. Those who are being malicious are enemies of the party. All those who are writing these things must be foolish!"A

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Government should Treat Boards Seriously!

TWO months ago, I was consulted by one statutory body to help them navigate the strategic plan formulation process.

We reached a snag in our discussions about timelines because one key stakeholder responsible for the approval and successful execution of the plan was not in place. The institution had gone nearly two years without a board. The substantive board was prematurely dissolved, halfway its tenure.

If there is a change at minister level, boards usually get changed. Each minister has an own list of prospective board members for a respective entity. Unlike in the private sector, board tenure in government owned entities expires at the same time because appointments are made at the same time. In other words, there is no overlapping to ensure continuity and maintenance of memory. Worse still, when an entirely new board comes into place, it wants to formulate its own strategic plan, even if such a plan would have worked just a third of its cycle.

There are presently a few statutory bodies and parastatals running without a board. I am not privy to the reasons why this is the case though I can speculate. First, ministers are usually uncertain about their own tenure in office and will only appoint a board once one is sure they are there to stay. Second, it is just difficult to find right people. I have shared thoughts with highly experienced individuals as to why they are not sitting on public sector boards. One of them told me, 'I don't want to dent my reputation. Boards are highly politicized, and I do not want to fall for unethical conduct. In any case, you get dissolved prematurely without any reasons. Your friends will start thinking I had dipped my fingers in the company coffers.'

Others think timing is important as another shared his thoughts to me, 'Not before elections, Chibamba. There is just too much uncertainty. I will rather wait for post-elections if I have to consider a board appointment.'

Third, the security clearing process at times takes longer than expected. An appointment to a public sector board is treated as a high-risk appointment and as such, individuals must be cleared for their citizenship, criminal record, conflict of interest and (political) allegiance. At this point, there is little the minister can do to speed up the process.

Forth and most crucial factor for the delay is getting the approval from mandated authorities such as cabinet or parliament. We are all aware of a case where President Michael Sata threw back the list to a minister, demanding he extends his search for capable candidates. He was concerned the board was not balanced in terms of ethnicity. He appeared to have comprehended the national dynamics and what was expected of his office in ensuring all Zambians felt their interests were adequately represented on every board. This process can apparently take quite long too.

My concern in this article is that appointments to public sector boards takes just too long and government should treat this as a profoundly serious matter. There should be no gap whatsoever in corporate governance for any

public sector entity (including private sector). There is a strong business case for corporate governance which should prompt authorities to prioritise board appointments each time they look on their desk.

SUSTANABILITY

Andrew Sherman, a governance specialist, properly summarises what is at the center of corporate governance when he blogged, 'From board selection and strategic decision making to day-to-day operations and legal compliance, corporate governance is a way for companies to create a framework for sound business practices, sustained growth, and risk management. At its core, corporate governance entails an internal control system for transparent decision-making that protects shareholders' value.'

In other words, organizations can only be sustainable and strongly look ahead for enhanced profits when there is strong oversight, largely by independent and experienced individuals. I should add here that ministers should not just look at the list before them. They should use the strength of their advisors to ascertain the level of competence for each of the people they are about to appoint.

The real risk is not so much in political appointments but from those recommended by associations such as trade unions, business and professional associations and other bodies. Are these individuals capable of guiding the organization as it seeks to sustain its operations in the long haul? My own take is that the Law Association of Zambia and the Zambia Institute of Chartered Accountants have taken this window very seriously, always seeking to recommend highly capable and skilled individuals. Others simply have a queue of members to exhaust, and they recommend people regardless of the required skills set for a given entity. Organisations with such people are currently hugely insolvent, struggling for survival.

CAPITALISATION

Many private companies believe corporate governance does not exist in a vacuum but is the means to attract capital. Whether through the stock exchange platform or outright borrowing from the banks, topping the checklist for potential financiers is governance. How is the entity run and are levels of accountability strong enough? This applies to public entities too. First, they gobble taxpayer resources and everyone of us want to observe maximum standards of accountability. When these entities are accountable, the Zambia Revenue Authority will not struggle to collect what is due to government. Individuals and corporate entities are very forth coming when satisfied that financial resources are utilized efficiently.

There is even more to this, several statutory bodies can easily get direct funding from international bodies if they have robust governance systems. As for State Owned Entities, listing on the stock market, issuance of corporate bonds or outright borrowing becomes easy when there are no gaps in governance benchmarks. Andrew Sherman shares as follows, 'Improving corporate governance allows companies to attract greater investment

at lower cost, strengthens corporate strategy and its implementation, clarifies accountability, enhances shareholder protection, and helps to attract and retain quality employees. All companies must have a way of reconciling divergent interests, planning for strategy and succession, accessing capital, cultivating company image in the community, and ensuring legal compliance. Corporate governance is a key tool for achieving those business goals.'

EFFECTIVE DECISION MAKING

Shareholders of one company disclosed they had decided to appoint me to the company's board because they wanted to tap into my expertise at no cost. According to them, they had an option to engage me as a consultant through which they would pay huge sums of money every time they sought my services or retain me as a board member at the cost of a small board remuneration. One way you can utilize the expertise of those highly skilled, experienced and knowledgeable individuals you cannot employ is to appoint them to a board. They will support management in effective decision making for the business. Government should be fully aware of this opportunity.

When I served as Director General of ZNBC, I had no board for 18 months. I was aware of my own limitations and though the Permanent Secretary was effective, our scope in decision making was limited. In describing the Law of Significance, leadership guru John Maxwell says 'One is too small a number to achieve greatness'. In other words, for the management teams of the government-owned entities to thrive, there must never be gaps in board appointments.

'I should add here that ministers should not just look at the list before them. They should use the strength of their advisors to ascertain the level of competence for each of the people they are about to appoint.'

Court vacates injunction which restrained continued works at Kingsland City

By Zondiwe Mbewe

COURT of Appeal judge Mubanga Kondolo has vacated the injunction which restrained Zambia Airforce Projects Limited, Kingsland City Investment Limited, among others, from continuing works at Kingsland City.

On February 17, this year, judge Kondolo granted Chalimbana Headwaters Conservation Trust Limited and nine traditional leaders of the Soli people an injunction restraining the continued

works at Kingsland City.

The said injunction restrained ZAF Projects Limited, Kingsland City Investment Limited, Drimtown Investment Limited, Shangrila Investment Limited and Datong Construction Limited from continuing works on the area covered by the decision letter issued to ZAF Projects Limited by the Zambia Environmental Management

Agency (ZEMA) on February 7, 2019 in respect of the project entitled, "Proposed Mixed Use Infrastructure Developmental Lots 2 and 3 ZAF Twin Palm Base, Lusaka by Zambia Airforce Projects Company Limited".

However, ZAF Projects Limited asked the court to discharge the said injunction.

And ruling on the same application by ZAF Projects

Limited, on September 18, this year, judge Kondolo said Zambia Airforce Projects Limited had shown that it had satisfied the conditions set by the court in its judgment of February 17, for vacating the said interlocutory injunction.

"The affidavit in support of the first respondents (ZAF Projects Limited) application to discharge the injunction has shown through exhibit "EL 4

that the first respondent has satisfied the conditions set by this Court in its judgement dated February 17, 2020 for vacating the interlocutory injunction granted to the appellants," he said.

Judge Kondolo said a pre-condition was a condition that must be fulfilled before other things can happen or be done.

He added that it was on that basis that the Court

stated that the injunction could be vacated upon ZAF Projects Limited complying with the pre-conditions which required them to submit under paragraph 3.1.1 proof to ZEMA that they have complied with the requirements of the Water Resources Management Act No. 21 of 2011 and under 3.1.5 that it shall prepare and submit for approval comprehensive hydrological study of the Chalimbana Sub-catchment.

"The issue before the Court is not whether the first respondent is complying with the decision letter of February 7, 2019 but whether they have met the conditions prescribed in my judgement of February 17, 2020. The issues of compliance are already before the trial Court and if there are on-going infractions so grave as to warrant suspension of the entire project by an injunction, nothing prevents the applicants from seeking that specific acts or the entire project be enjoined," judge Kondolo said.

He accordingly vacated the injunction.

"The said injunction is accordingly vacated. Costs are in the cause," ruled judge Kondolo.

ZAF Projects Limited director Colonel Edgar Lungu had submitted in an affidavit in support of ex-parte summons for an order to discharge the interim injunction, that the ruling of the court of February 17, this year, specified that the injunction could be vacated by ZAF Projects Limited complying with the pre-conditions set out in the decision letter issued by ZEMA dated February 7, 2019.

He stated that in compliance with the conditions set out in the decision letter, ZAF Projects Limited on March 3, 2020 submitted a copy of the report of the Hydrological study for the Chalimbana Catchment Area and Ecological Management Plan for the Proposed Mixed-Use Development at ZAF Twin Palm to ZEMA for review and possible approval.

Col Lungu stated that by letter dated March 10, 2020, ZEMA approved the said report which was in fulfillment of the conditions of the decision letter.

He added that by letter dated July 29, 2020, ZEMA further approved the Hydrological Report and Water Management Plan for ZAF Twin Palm Mixed-Use Infrastructural Development in fulfillment of the conditions of the decision letter.

"ZAF Projects Limited having fulfilled the pre-conditions set by ZEMA and as guided by this honourable court through its judgment of February 17, 2020, this is a proper case for the honourable Court to exercise its discretion in discharging the injunction as conditions 3.1.3 and 3.1.5 of the decision letter dated..."

Continues on page 7

When is voter registration starting?



Online Pre-registration

Online Pre-registration will start on Monday 21st September, 2020 to Friday 6th November, 2020. Visit the website: www.ovr.elections.org.zm to commence your application.

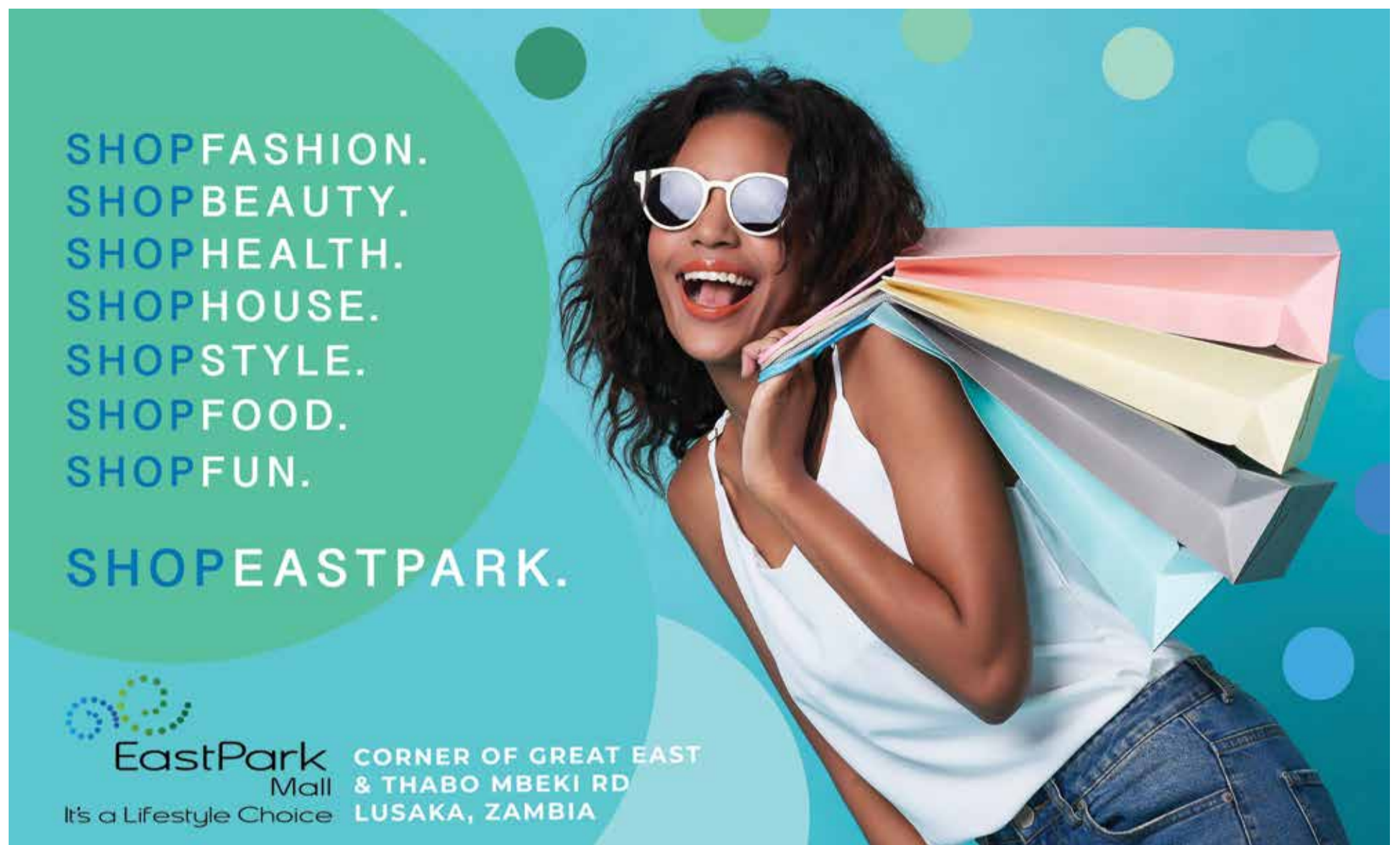


Mobile Voter Registration

The Mobile Voter Registration will be conducted from 07:00 hrs to 18:00 hrs every day at various registration centers in all the districts. The exercise will run from October 28th to November 30th, 2020.



#VotingSquad



By Ulande Nkomesha
UPND secretary general Stephen Katuka says the party refused to have leader Hakainde Hichilema on ZNBC's Sunday Interview programme because the national broadcaster wanted him to feature as chairperson for the privatization committee and not UPND president.

Katuka had written to ZNBC on September 10, 2020, requesting that the party be given an opportunity to respond, via the Sunday Interview, to FDD leader Edith Nawakwi's allegations against Hichilema.

However, it was reported that the UPND had turned down an invitation from ZNBC in response to their request for an interview.

In an interview, Katuka disclosed that the decision to turn down the interview was because ZNBC, in its

UPND explains why it advised HH to shun ZNBC's Sunday Interview

response to the UPND's letter, requested that Hichilema be given the platform in his capacity as chairperson of the privatization committee and not UPND president.

"We wrote to them as a party, now they were saying let Hichilema come in his capacity as chairman of that privatization thing. We wrote to them as a party and they should have responded to us as a party if they agreed to feature him. Now, they are saying he can't come there as the president of the party but that he should come as chairman of that privatization. We are not involved as a

party in the privatization and we will not discuss issues of privatization. So, if they offered us a platform for the interview, that platform could have been used by anyone from the party because it was the party that was requesting for that interview," Katuka said.

"Hichilema is a president of a political party which is an organisation and we have a fully-fledged structure in

the party. So, if we feel that it is not him, specifically, to deal with the issue, we can delegate anybody to go and do that. Their response was like challenging him to say 'bwela manje tizakuona' (come here, you will see)."

He added that the response given by ZNBC was not in good faith, adding that the party had information that there was a plan to disparage Hichilema on the program.

"The spirit in which their response came was clear that they had something negative and we had information about their behavior. The man who was supposed to interview him was already invited to Cabinet Office. They went to grill the reporter at Cabinet Office, what has that got to do with Cabinet? We are aware they called him there to give him some fake documents that have been manufactured.

They also linked that letter to the PF, I don't know why. You know that we took ZNBC to court in the last election, a matter that we won and they have not been featuring us on their programmes. If they feature us, it is in the negative," said Katuka.

"So we wrote to them and the response, I told the DG that the response to me was not in good faith. That is how my team went to meet them to explain the way that letter was written, the spirit in which it was written, I think it was not done in good faith. That is why we said that we can't operate like this. That is the issue, those who are saying the president chickened out, they are the chickens themselves."

Mwansabombwe needs healing, says Kabaso

By Natasha Sakala

NEWLY-elected Mwansabombwe PF member of parliament Kampampi Kabaso says it is time for healing in the constituency to get rid of wrangles that engulfed the area over the past nine years.

In an interview, Kabaso said following his triumph in last Thursday's polls, it was now time to work, adding that he owed the victory to Mwansabombwe constituents.

"I owe it to the people of Mwansabombwe, it's now time to work, definitely. Looking at what we have passed through for the past nine years...there have been so many wrangles here and there, and as a constituency, we need to heal, forgiveness, togetherness and move on," Kabaso said.

And he pledged to continue the developmental agenda of the late area member of parliament, Rodgers Mwewa.

"Developmental plans apply if I would say the plans, which are in place, the only thing is continuity, where the Honourable MP left from...that's where I will pick it up from until I end the term," said Kabaso.

The PF last week emerged victorious in the Mwansabombwe by-election, which was necessitated by Mwewa's passing after succumbing to COVID-19.

Court vacates injunction which restrained continued works at Kingsland City

From page 6

"...February 7, 2019 have been complied with," Col Lungu stated.

But Chalimbana Headwaters Conservation Trust Limited and the nine traditional leaders of the Soli people opposed to the said application arguing that this was not a proper case to allow the discharge of the injunction as the respondents were still in breach of the conditions of the decision letter.

Robert Chimambo, the secretary of Chalimbana Headwaters Conservation Trust, stated in an affidavit in opposition that even with the Court's injunction and clear direction not to carry out any works, there was still non-compliance as the respondents continued building and allowed tenants to move into some of the properties.

He added that the said tenants were drawing water from boreholes and not using approved sewerage systems in contravention of the decision letter.

"They (respondents) have come to this court seeking the lifting of the injunction so that they can continue construction when they are in continuing breach of this

Court's injunction and the Environmental Licences that they require to carry on with the project. This is not a proper case to allow the discharge of the injunction because the respondents are still in breach of the conditions of the decision letter," Chimambo stated.

And at the hearing of the said application, last week Thursday, ZAF Projects Limited through its counsel Calisto Nambote insisted that the court should discharge the injunction.

He said the court had in its ruling set pre-conditions for ZAF Projects Limited to meet in order for the injunction to be discharged or vacated, adding that the said conditions had been fully complied with.

"It is our prayer that this Honourable Court will discharge the injunction issued because the first respondent (ZAF Projects Limited) has clearly demonstrated that it has fully complied with the Court's instructions," Nambote said.

But in response, Chalimbana Headwaters Conservation Trust Limited and the nine traditional leaders of the Soli people argued through their lawyer Mutembo Nchito, that the respondents

had failed to demonstrate that they were in compliance with environmental laws.

He added that if they were to continue operations at Kingsland City in disregard of the environmental laws, that would render the whole exercise at the High Court academic and that the interest of the appellants would be prejudiced.

However, the court of appeal has now vacated the said injunction.

In the matter before the Lusaka High Court, Chalimbana Headwaters Conservation Trust and nine traditional leaders of the Soli people, who include among others, senior headman Maoma and senior headman Nkomenshya have sued Zambia Airforce Projects Limited and Kingsland City Investment for carrying out construction works on a forest reserve.

Other companies sued include; Drimtown Investments Limited, Shangrila Investments Limited and Datong Construction Limited.

The plaintiffs have also sued ZEMA, Water Resources Management Authority and the Attorney General.

Finally, PF agrees that ConCourt did not declare Lungu eligible

TWO very important admissions have been made in the political arena this week; one from the ruling Patriotic Front and another from the opposition United Party for National Development. The Patriotic Front has finally agreed with the Law Association of Zambia that the Constitutional Court did not declare President Edgar Lungu eligible to contest the 2021 general election. According to PF Central Committee member and chairman of the legal affairs committee, Brian Mundubule, the court only dealt with the definition of the term of office.

On the other hand, the UPND has finally come to terms with the fact that there is something that the party is not doing right, given its poor performance in by-elections, and the numerous general election losses. The party national elections chairman Gary Nkombo admits that the party needs to button up, instead of always blaming the system for the losses. We have so much to say about this interesting admission from the UPND, and we are glad that this is coming from a very high ranking member of the party whom we

News Diggers!

Ear to the ground

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believe is speaking with insight. But today, we first want to comment on the PF's admission.

Honourable Mundubule makes a very interesting observation regarding President Lungu's eligibility. He says the party is aware of the fact that there are several eligibility criteria for one to stand as President, and that one of them dictates that a person wishing to stand as President of the Republic of Zambia must not have served two terms of office. He agrees with Law Association of Zambia (LAZ) president Abyudi Shonga State Counsel who explained last week that the ConCourt did not deal with the eligibility issue of President Lungu.

"One side of the argument was that President Lungu was ineligible to stand in 2021 because he had served two terms of office; our side of the

argument was that he was eligible because he had not served two terms of office. We therefore agree with the position taken by LAZ that the only issue the Court dealt with decisively in its judgement was that of the term of office because questions of the other eligibility criteria were not brought before the court," said Mundubule.

This was hard to believe. We had to listen to Honourable Mundubule's recording several times just to make sure that indeed, he was making this admission because in our view, this raises a lot of questions. This admission means the Patriotic Front also agrees that whoever wishes to challenge the eligibility of President Lungu will have every right to go back to the Constitutional Court to seek a declaration that the incumbent is not qualified to stand again in 2021, and the court

will have to make a ruling within 21 days.

So then, we ask, why has the Patriotic Front been lying to the people of Zambia that the Constitutional Court already declared President Lungu eligible to stand in 2021? This misinformation has been peddled by senior officials of the party, among them, deputy government chief whip Honourable Tutwa Ngulube and Eastern Province Minister Honourable Makebi Zulu. Why have these people been lying to the people of Zambia?

Second question is: if the Patriotic Front now agrees that the Constitutional Court did not deal with any eligibility issue, why is the party fighting citizens like John Sangwa who are waiting for Mr Lungu to file his nomination papers so that they can ask the court to look back at this matter and pronounce itself on

whether the President is eligible or not? Why are you saying there is no more debate about Mr Lungu's eligibility when you know that no court has declared him eligible?

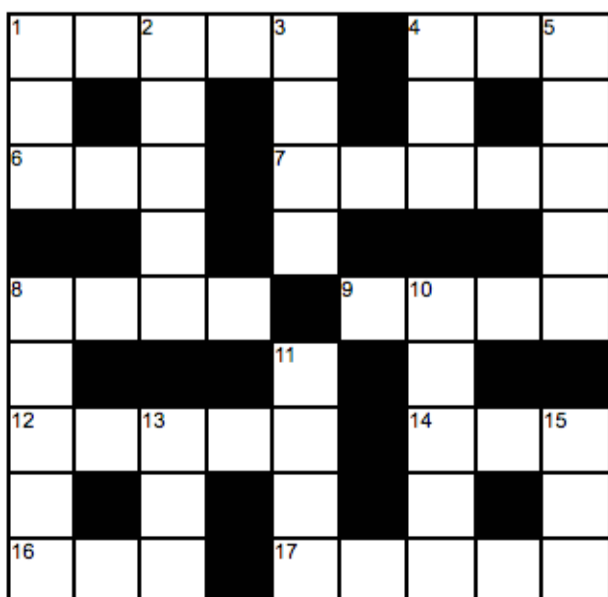
The third question we have for the Patriotic front is: if they know that the court has not declared eligible him yet, why is the party insisting that Mr Lungu is the sole candidate for 2021? Why is the party expelling those who express interest to challenge President Lungu at the party convention? What gives them the confidence that the Constitutional Court will rule in President Lungu's favour on this matter? What agreement do they have with the ConCourt judges? What have they promised them in exchange for this ruling?

The final and probably most important question is on Bill 10.

If the Patriotic Front is so confident that President Lungu is eligible to stand again in 2021, and that the ConCourt cannot rule against them, why are they desperate to repeal Article 52 of the Constitution which states in section (4) that: "A person may challenge, before a court or tribunal, as prescribed, the nomination of a candidate within seven days of the close of nomination and the court shall hear the case within twenty one days of its lodgment"? What is wrong with this provision of the law?

This is what we mean when we say that we are being ruled by mafias. The crooks in this government come up with false information to mislead the public and they spread lies without any shame. They have been lying that Bill 10 is about women and youth empowerment, that it is about the plight of the disabled. Some have gone to the extent of saying Bill 10 will bring professionalism in the police service. What a bunch of liars! Here is the truth about Bill 10 - it starts and ends with the desire to prolong President Lungu's stay in power. That's what it is all about, and thieves are supporting it because they want continued protection.

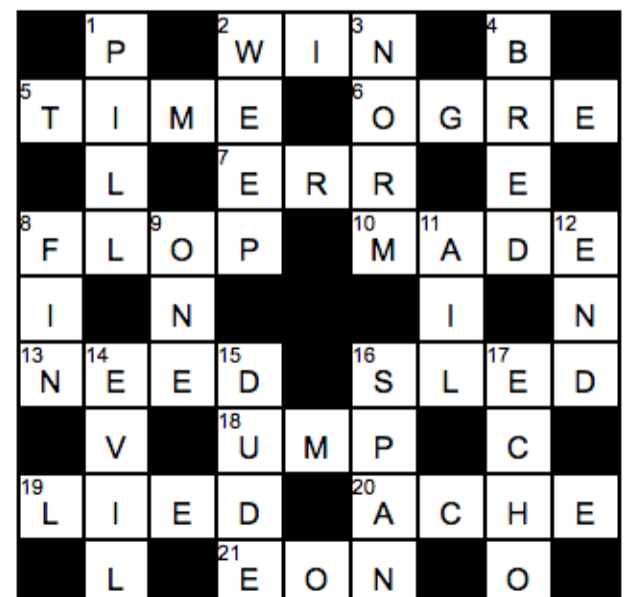
Crossword puzzle No 695



"Seeing the glass as half empty is more positive than seeing it as half full. Through such a lens the only choice is to pour more. That is righteous pessimism."
- Criss Jami

- | | |
|--|--|
| <p>Across</p> <ul style="list-style-type: none"> 1. Steal 4. Hair knot 6. Phys or chem, e.g. 7. Haunt 8. Like sore muscles 9. Edibles 12. 1 and 2 14. A lodging house 16. Edge 17. Coffee-break snack | <p>Down</p> <ul style="list-style-type: none"> 1. Sister 2. From Dublin 3. Child's play 4. Ghost word 5. Unclothed 8. Later on 10. Burger topper 11. Plant starter 13. Hit hard 15. Catch butterflies in it |
|--|--|

Crossword puzzle No 694



Readers' Feedback

Siwanzi on Zambia being 'blessed' to have Lungu in State House

Editor,

"Since it's his opinion I respect. Mine too: Zambia is cursed to have lungu as President nothing good has come out of his governance apart from roads and bridge construction". - Doston Chokochani Sakala

"I replace the word "blessed" with "cursed" to suit the situation on the ground". - Keith Moono

"This one is also a bootlicker, what has Lungu done for Nakonde town? no roads, no proper infrastructure, no jobs for the youths in Nakonde. and you are there praising him. If anything Zambia is very unlucky to have Lungu as president". - Musheke Sishekanu

"I don't know whether this uneducated MP knows the

meaning of "blessed". Please God help us from this PF political drama all about flattery". - Tukafililamunsenga Kambwili

"It has taken me too long to see this blessing because all I see is the opposite or a traitor". - Ritah Na Chiko

"It is actually the opposite of blessed to have him as president that is why the dove could not fly on that day". - Sinkala Derrick

"These MPs have been brain washed by their cult leader. Their brains need software upgrade, some even a transplant will do". - Kaseba Golden

"Flattery language to the top leadership and attacking the opposition are the best paying jobs in PF". - Honourable Paundi Kasempa MP

"If this is what a blessing looks like then i'd really like to be cursed". - Michael Mwitwa

"Very few MPs talk about development projects they are doing in their area, like building new markets for traders and business men, delivering water connection systems to their people, improving the agriculture system in their area so that they can contribute to the food basket of the country and earning income for them selves etc. The job of the minister including mare MPs now it's to clap and give credit to the president as if he's the one that voted you into office. Zambia is good at speeches and the one of the best policy formulators but

the worst corrupt in terms of implementation of the idea will even die just on paper the way bill 10 will". - Kris Mubanga Malama

"Its so difficult to argue with an opinion. But even then Siwanzi, spare us the pain of listening to your rubbish. Now, my opinion: Reading what is written for you by someone else cannot be a measure of your intelligence. If Siwanzi was impressed by the speech, he should congratulate the speech-writers. Any grade 9 pupil can read that text, especially after practicing for one week; which I am sure ECL did. A live televised debate, American style, will help us appreciate the president's intelligence or lack thereof". - Cephas M Kunda



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Go to our News Diggers! Facebook page, select a story you like and jot down your comment. We will pick that as your feedback and get you published on this page. The shorter the comment the higher the chance of getting published. Note that we block Facebook users who use abusive language.

'LAZ boss speaks truth on ConCourt not having dealt with Lungu's eligibility'

Editor,

"Thank You Mr Shonga, The PF Thought You Would Be A Push Over They Thought You Were Gullible Now Thats What I Call Leadership With The Stance That You Have Taken Be Ready To Be Called All Sorts Of Names Like Your Predecessor Did But On Thing For Good Is That You Should Endure That For The Good Of The Country. Keep It Up!!!!" - Kenny Chewe

"LAZ Will Always Come To Good Terms On Important Issues No Matter How They May Be Orchestrated By The PF Coz Its A Kangaroo Govt That

Doesnt Follow Rule Of Law. Laz Scrutinize Laws And Their Interpretation, Determination Unlike Lawyers That Represent PF because They Just Have Interests Of Their Represented Parties". - Reagan Reaner Ngandu

"The position by LAZ is welcome however the Attorney General have not been doing his job well as he has to advise the president truthfully because the president is likely to mislead the nation on his eligibility just as he misled the nation on ministers remaining in office when parliament was dissolved as he misinterprets the constitution". - Limpo Situmbeko

ND! OPINION: Using Grandview to divert public attention from the HoneyBee drug scandal

Dear editor,

"Zambia's corruption cancer and dodging of responsibility

Lungu: It is just a witch hunt

Wina: Corruption is just propoganda

Lubinda: Opposition is bitter

Siliya: What we have is legal corruption

Chitotela: The toll gate is sophisticated

Mwale: The fire tender is sophisticated

Chilufya: The ambulance is sophisticated

ACC: We can't find the owners of the houses

PF supporters: We shall revenge

Dundumwezi

Zambians: In \$20 billion debt distress!" -

Richard Waga

"And they are busy talking about

privatization instead of their corrupt government. What a same!" - Chris M. Mwewa

"This pf regime takes advantage of the majority electotes dullness". - Ngosa Mwape

VJ's warning on continued political violence possibly leading to anarchy

Editor,

"Call it what it is please. This is state sponsored terrorism! Political violence is an altercation that gets physical between opposing parties. But when a home affairs minister is also in charge of thugs and sends them to provoke, threaten or attack citizens that is terror. When the commander-in-chief refuses to ensure the police curb violence or when thugs can easily storm into a five star hotel or police headquarters with impunity, then that counts as state sponsored terror". - Richard Waga

"VJ is right". - Felix Stanley

"One day PF will repeal!" - Phillimon Mfula

"VJ well spoken our father". - Honest Kevin Ndinaweh

"Dear VJ, police are afraid to arrest PF thugs because Edgar Lungu fired some Sesheke police officers when they restrained PF thugs during a by-election. Lungu should be blamed for the current lawlessness". - Chivunda Samusungwa

"Well spoken! Those who don't know the history of Zambian politics will refer to you as an attention seeker". - Felix Kalila

"Wise words from a man full of wisdom". - Andrew Tayengwa



By Zondiwe Mbewe

LUSAKA Principal Resident Magistrate David Simusamba yesterday closed a case in which NDC leader Chishimba Kambwili is charged with forgery, uttering a false document and giving false information to a public officer and set October 12, this year, as date of judgement.

This was after Kambwili's lawyers failed to show up as they were before higher courts.

However, Kambwili has

Luapula Hydro directors take plea in water permits matter

By Zondiwe Mbewe

LUAPULA Hydropower Corporation Limited and its two directors, Brian Chisala and Katambi Bulawayo, have pleaded not guilty to the charge of failure to surrender water permits before the Lusaka Magistrates' Court.

This is a matter in which Luapula Hydropower Corporation Limited, Chisala and Bulawayo are charged with one count of failure to surrender water permits contrary to the provisions of section 86 (2) of the Water Resources Management Act No.21 of 2011.

It is alleged that Luapula Hydropower Corporation Limited, being a company incorporated in Zambia and having its registered office at Plot No. 62 Roan road, Kabulonga, Lusaka, and the two directors between August 7 and 27, 2020 in Lusaka, having been served with a Notice of Surrender of Water Permits Numbers 10371 and 10372 failed to surrender the permits as required by Section 86 of the Water Resources Management Act No.21 of 2017.

At the last sitting, WARMA in-house lawyer Chapatama Ngaba applied that the indictment be amended to add Chisala and Bulawayo as the second and third accused persons in the matter, which application was granted.

Ngaba then applied for an adjournment following the amendment of the charge sheet in order to serve the two other accused persons.

And when the matter came up before Magistrate Nthandose Chabala for plea, Monday morning, the company and the directors had the charge explained to them.

Asked whether they understood the charge, Chisala and Bulawayo who represented the company and themselves said they understood and pleaded not guilty.

After plea was taken, Magistrate Chabala adjourned the matter to October 21, for mention and November 6 for commencement of trial.

In this matter, the accused persons are represented by defence lawyers Jonas Zimba, John Mulwila and Chimuka Maggubwi.

Simusamba abruptly sets judgement date in Kambwili's forgery case

complained that it's unfair for the magistrate to refuse to adjourn the matter, adding that he does not understand why a magistrate can close a case when he still had two more witnesses to testify in his defence

When the matter came up for continued defence yesterday, State prosecutor Mukumi Chipawa informed the court that the accused was present and that the State was ready to proceed.

However, Kambwili's lawyers in the matter; Musa Mwenye State Counsel, Keith Mweemba, Christopher Mundia and Gilbert Phiri were not present.

At this point, another lawyer from Christopher

Mundia's law firm, Jacqueline Lungu applied for an adjournment, saying Mwenye, who was in conduct of the matter, was appearing before the Court of Appeal.

In response, Chipawa reminded the court that it had at the last sitting given Kambwili the last adjournment, but added that he would leave it to the court.

Ruling on the application for an adjournment, magistrate Simusamba said he had on several occasions extended the time that he had given the defence to conclude their defence and to close the case.

He added that he had told the defence at the last sitting

that he would not allow any more adjournments.

Magistrate Simusamba therefore refused to grant the application for an adjournment and proceeded to close the case.

He added that he would render his judgement in 14 days.

"I now make the decision that this case is closed. Judgment will be made in 14 days," magistrate Simusamba ordered.

At this point, Lungu requested for four weeks in which the defence could file their submissions but magistrate Simusamba refused and gave them a week.

He also gave the State a

week to file their submissions after the defence had filed theirs.

Magistrate Simusamba then set October 12 as date of judgement.

But speaking to journalists, Kambwili said it was unfair for magistrate Simusamba to refuse an adjournment, adding that he does not understand why the magistrate could close the case before the defence officially closed it.

He said he still had two witnesses to testify in his defence.

Kambwili said after the case was adjourned to an agreed date last week, there was communication on Friday from the Court

of Appeal for Mwenye to appear there on the same day as his matter.

He added that Mweemba was in Chipata for another matter, while Mundia was appearing before the High Court in a matter where the UPND has sued the Electoral Commission of Zambia.

"So you can see that all my three lawyers were committed in higher courts and obviously where the hearing clashes between a higher court and a lower court, the higher court takes precedence. But I really don't know why he has closed the case before we officially close it. We had two more witnesses to give evidence," said Kambwili.

He said the people of Zambia had seen for themselves how magistrate Simusamba had treated him in the matter.

Kambwili wished magistrate Simusamba all the best in his career.

Zesco requires overhaul - Eng. Chiyumbe

By Diggers! Reporter

PRESIDENT Edgar Lungu must quickly act to implement urgent energy sector reforms that would lead to a professionally-run Zesco Limited and improved service provision because consumers are crying, says Engineer Geoffrey Chishimba Chiyumbe.

And Eng. Chiyumbe, an energy consultant and expert, has insisted that Zesco needs a complete overhaul through the appointment of new professionals to revamp the State-run power utility to boost efficiency and provide better quality services to energy consumers.

In a statement dubbed: Zesco Inefficiencies and Mismanagement Continue Unabated, As Disgruntled Zambians Look to HH for Hope And Help in 2021, Eng. Chiyumbe, a qualified electrical engineer, urged President Lungu to implement much-needed energy sector reforms arising from a technical study, which had made recommendations to improve Zesco's operational performance back in 2017.

In 2017, Cabinet commissioned a technical study, which made recommendations to improve the operational performance of the power utility, which was chaired by then-Secretary to the Cabinet Dr Roland Msiska, who stated that the overall objective was to turn Zesco into a viable company that efficiently generates, transmits and distributes electricity to both domestic and industrial clients as well as the export market.

Arising from the study report, Cabinet, at its meeting held on July 16, 2018, approved the recommendations and directed that an implementation team be constituted, the Zesco Reforms Implementation Team, to carry out the accepted recommendations, but nothing tangible had been yielded since then.

"But since 2018, when the approved implementation schedule was going to kick-start, the whole plan got shelved by the same incompetent leaders who were tasked with the responsibility to spearhead its thorough execution. Mr Mathews Nkhuwa (energy minister) for energy portfolio and then-finance minister (Margaret) Mwanakatwe are the ones answerable. Tireless efforts were made with both sector-line ministers, including IDC leadership, but all in vain, futile, fruitless, yes, indeed, a chase after the wind," Eng. Chiyumbe stated.

"In the meantime, life goes on and load shedding is already officially registered as a formal, influential and key member in all our households and a leading and an active business partner in our businesses. The PF government's failure to act to arrest this negative trend is one of the things that have raised frustration levels very high among the Zambian population majority of whom at one point believed in President Edgar Lungu to salvage the situation. Mr. President, time is neutral. It's

how you choose to use it. The implementation process can be initiated now. It can kick-start."

He stated that President Lungu must immediately make the necessary changes needed in the sector.

"Your administration is a working and listening government. When you see a government-controlled corporation, which must ordinarily be run as a viable enterprise, willy-nilly getting money from the vulnerable and already-impooverished individual citizens, without providing the services that money was paid for, the general citizenry must get very concerned. It calls not for silence, but speaking out, and bringing the matter before the attention of the appointing authority, who is the President, for immediate action, to right the wrong," Eng. Chiyumbe stated.

He lamented Zesco's failure to provide services despite consumers paying for them, coupled with ongoing load-shedding, which remained unresolved.

"We have many cases around Zambia where clients have paid money in advance

to Zesco for new services or installations or connections of power to their premises, but it has taken Zesco in many instances, more than 12 months without providing the services paid for. These funds were deposited directly into Zesco accounts. Are these funds still there, lying idle? Or already utilised for something else? The citizens who paid for these pending services have been crying! In spite of the many available streams of revenue and income, the utility's financial liquidity continues to be in a mess. Because of high-gearing, the utility has been technically insolvent for years. For instance, in the financial year ended 31st December, 2016, Zesco's total liabilities outstripped its total assets," Eng. Chiyumbe stated.

"From both business and ethics perspective, it is worrying that we have an entity providing a service, collects money and fails to provide that service within the stipulated time as contractually agreed. Collecting or obtaining money in advance from unsuspecting clients in

exchange for the provision of a product or service is within the norms of good business practice. But the moment a business fails to deliver the paid-for product or service within the contractually agreed time frame, in my view, that becomes an act of criminality, and is tantamount to obtaining money by false pretence. This is where and the reason why we start questioning the competence of the governance and management team at Zesco. Yes, we know that the institutions is technically insolvent. But what is government, as the owner of Zesco, doing to turn the fortunes around? Why has the President kept and maintained the same underperforming team around for this long as though it's a marriage contract where some until - death - do - us - part vows have been made and entered into, for life?"

The engineer, who is currently the Trans Africa Projects (TAP) Pty Country Director, a subsidiary of Eskom, further insisted that Zesco's management needed an overhaul to revamp the State-run power utility for it to improve efficiency and provide better quality services to energy consumers.

"If the current Zesco board and its top management can tolerate and accept this unprofessional way of doing business as being normal, then we are in trouble as a nation. What the utility urgently needs, therefore, are the right people at the helm of leadership to take it through a financial restructuring process, which is needed for it to attain commercial credit worthiness. They say you can't fix a broken system using the same people who broke it. The whole energy sector in Zambia needs immediate flushing out," stated Eng. Chiyumbe, who is also the chairman, team leader and project manager of the Presidential Task Force on the Energy Sector Reforms in Zambia.

CCPC warns schools against forcing parents to buy identical face masks

By Natasha Sakala

THE Competition and Consumer Protection Commission (CCPC) has urged schools to desist from imposing the purchase of identical face masks on parents as it is against the CCPC Act.

In a statement, Monday, CCPC senior public relations officer Namukolo Kasumpa stated that such practices eroded consumer welfare as they limited consumers' choices.

"The CCPC would like to advise some schools in the country to desist from imposing the purchase of identical face masks on pupils at the school as the practice is unfair and goes against the Competition and Consumer Protection Act (CCPA) No. 24 of 2010. The Commission has noted with concern that such practices erode consumer welfare as they limit consumers' choices and appears to tie students' and pupils' retention in these schools to the

purchasing of the face masks," Kasumpa stated.

Kasumpa added that schools should desist from using protection against COVID-19 as a fundraising venture.

"In view of the foregoing, the Commission would like to remind the schools that the use of face masks is meant for the protection of individuals against contracting the Coronavirus and should not be used as a money-making venture. Therefore, the Commission wishes to warn all the schools that such unfair trading practices are punishable by law and any school that shall be found guilty will be liable to pay the Commission a fine not exceeding 10 per cent of its annual turnover. Further, the Commission is calling on all schools to allow pupils to purchase affordable face masks from sources of their preference to avoid contravening with the law," stated Kasumpa.

By Abraham Kalito

THE Teulings League which is comprised of Volleyball, Hockey, Netball and Taekwondo resumed over the weekend amidst strict adherence to COVID-19 health guidelines.

Beach volleyball, volleyball, netball, hockey and taekwondo athletes participated in league games

Tuelings League resumes

as they prepare for the grand finale in December.

The December grand finale will be the conclusion of the league which was disrupted by the Coronavirus outbreak early this year.

Following the conclusion of the matches over the weekend, a ceremony was conducted where coaches representing participating teams received face masks on behalf of athletes.

Speaking during

ceremony, National Olympic Committee of Zambia (NOCZ) Secretary General Boniface Kambikambi implored the coaches to ensure that athletes were updated on the COVID-19 situation locally and followed all health guidelines as directed by the Ministry of Health.

And Taekwondo Association of Zambia president Likando Nangode says the resumption of the Teulings Youth Sports Challenge will help athletes gain the necessary match fitness that had eluded them after being inactive for more than six months.

Meanwhile, the Teulings League has provided a platform to mentor female athletes on real life issues prior to the matches.

The athletes were mentored on issues regarding relationships, motherhood and perseverance towards achieving their goals.

Obafemi Martins signs for Wuhan Zall

OBAFEMI Martins has joined Chinese Super League side Wuhan Zall as a free agent after his departure from rivals Shanghai Shenhua.

The centre-forward was handed a one-year contract by the Han Army, who finished sixth in the Chinese top-flight last season.

The striker returned to football in July, rejoining the Flower of Shanghai, having been without a club since 2018 due to a hamstring injury.

The former Nigeria international made four Super League appearances for Shanghai Shenhua before leaving the club.

The 35-year-old will hope to prove he still has all it takes to play at the top level with the Dongxihu Sports Centre outfit.

Martins enjoyed great success in his first stint with Shanghai Shenhua after teaming up with the side in 2016 from MLS club Seattle Sounders FC. **GOAL.COM**

Nkwazi beat Napsa in Chess league match

By Ngosa Chalwe

DEFENDING Champions Nkwazi opened their Micheal Thole Elite Chess League title defence on a high note after beating Napsa B 6-0 at the National Institute of Public Administration (NIPA) in Lusaka.

Played under the auspices of the Lusaka Province Chess Association (LPCA), the tournament returned behind closed doors in a bid to prevent the spread of COVID -19.

In the ten team league, the police outfit beat Napsa B 6-0 to run home the biggest winners on the day while PCZ beat Kalingalinga 5-1 to open their account.

In another match, Green Buffaloes were too strong for Lusaka Knights as evidenced by a 5-1 win while Red Arrows recorded the same margin against LIYOCA.

The only stalemate of the day was between Green Eagles and NAPSA A who played to a 3-all draw.

Meanwhile, Chess Federation of Zambia (CFZ) president Mukubulo Chilufya pledged to contribute K10, 000 to next weekend's cage match that will precede league games.

Chilufya also hailed the LPCA committee for seeing to it that the league resumes after it was put on hold following the upswing of COVID-19 cases in the country.

LPCA chairman Willian Jilowa thanked CFZ for the support.

Chess players in war of words

By Ngosa Chalwe

A WAR of Words between once upon a time national teammates International Master (IM) Andrew Kayonde and Fide Master (FM) Prince Mulenga has ensued on social media after their much-anticipated encounter at the weekend.

On Saturday, Kayonde edged Mulenga 14 - 12 in what was dubbed the Elite Cage match before throwing a jibe at the latter in a cryptic post on social media.

In apparent reference to Mulenga, Kayonde, a six time national champion posted: "Arising amateur can only intimidate a failing master. 14 - 12!"

However, the post appeared to have infuriated Mulenga who responded in a strong worded post on his Facebook wall.

"So yesterday [Saturday], we held a Match which is dubbed the great Rivalry of Zambian Chess in which Mr Kayonde

Andrew emerged victorious by just a game winning 14-12 in the end. In the spirit of true sportsmanship, I congratulated him and wished him well in future endeavours. A tribute which was not easy as I was still nursing my wound but sadly, I am waking up to reading him calling me an amateur, a comment I find very immature, stupid and inconsiderate," Mulenga wrote.

He stated that he would not sit and watch Kayonde vilify his chess prowess.

"Mr Kayonde Andrew, I am not one you can throw stupid comments on and I let you go scot free. As I have said many times, I am in Chess to promote the game and take it to the masses and at no time am I in the game to make unnecessary friendships so if you think I cannot retaliate when you make some funny comments, then you are lying to yourself because I will and I am an expert

at that," Mulenga said. "In case you have a poor memory, this is the first time you have smelled victory against me in two solid years and winning by a whisker is something that is quite shameful for someone who says he can become a Grandmaster."

And when contacted to clarify his statement, Mulenga said the comments between the two are beyond bunter or rivalry.

Meanwhile, in an interview, Kayonde maintained that Mulenga was a rising amateur.

"I just wanted to make a statement that he is a rising amateur and he has a lot to learn, he still has a lot to learn but he thinks we are equal. No, we are not equals yet," said Kayonde.

In 2019, Mulenga and Kayonde were part of the national team that represented Zambia at the Africa Chess Championships in Tunisia.

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FAZ warns against misuse of COVID funds

By Ngosa Chalwe

FOOTBALL House has warned its member clubs against misusing the COVID-19 relief fund given by world governing body FIFA on non-footballing expenditure.

Following the devastating effect the global outbreak of the Coronavirus has had on football, FIFA set aside funds to help mitigate the impact of the pandemic on football clubs.

FIFA approved the decision to make available up to US\$ 1.5 billion in order to support the Member Associations through the FIFA COVID-19 Relief Plan.

Each Football Association is entitled to US\$1.5 million which will be given in three instalments of US\$500,000.

In his weekly column, Football Association of Zambia (FAZ) president Andrew Kamanga,

Monday, stated that Football House had already disbursed the money to Super Division and National Division One teams.

"The first batch of USD500,000 has already been disbursed to the 211 member associations. On our part, we have received this allocation and have proceeded to disburse it to our membership. We have been prompt in disbursing to our membership given the

financial stress that the COVID-19 has caused in the game.

So far, all the Super League teams and National Division One have received their allocation while the lower division clubs have also started receiving. The delay in the lower division clubs is mainly due to the verification of bank details," Kamanga stated.

He warned against misuse of the funds.

"It must, however, be noted that these funds should not be diverted to non-football expenditure. FIFA places a high premium on transparency and accountability and we expect that our members should apply the same levels of prudence. Any misuse of these funds will attract sanctions, including the possibility of being excluded from the next cycle in January 2021," stated Kamanga.

WE STILL SPONSOR NKANA - MOPANI

By Ngosa Chalwe

DESPITE Mining giant Mopani Copper Mines (MCM) informing Nkana that it will not fund the club next season, club president Joseph Silwimba has claimed that the Mine is still bankrolling the team.

Last week, in a letter signed by company chief executive officer Charles Sakanya, Mopani informed the club that it has no

money to fund their participation in the CAF Champions League.

“Further to our letter of April 27, 2020 and subsequent verbal confirmations of the position in various meetings, Mopani will not be able to provide sponsorship to Nkana FC for the upcoming season. We additionally confirm that the company does not have funds to meet the cost for participation in the CAF. We

acknowledge that it would have been difficult to seek alternative sponsorship in the period up to June 2020 due to the impact of COVID-19 therefore Mopani will provide you with US\$15,000.00 per month up to the end of the year (December) effective August 2020,” Sakanya stated.

However, in a statement released by club media officer Lillian Musenge yesterday,

Silwimba said Mopani was still committed to seeing the club successfully participate in the Champions League.

“Contrary to information circulating on social media, Mopani has actually supplemented Nkana FC’s funding for 2020 by giving the club additional support commencing the month of August 2020 after the club depleted its allocation for the 2020 financial

year midway.

We would like to assure all our stakeholders, who include our faithful supporters, technical bench and players that the club will without fail participate in the 2020/2021 CAF Champions League and that more sponsors will be on board to push the club beyond our last achievements in continental competitions,” said Silwimba.

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