

LUNGU MUST WIN 2021 AT ALL COST

...the task is too big for us in PF - Mwila



Chapter One Foundation executive director Linda Kasonde addresses journalists as CTPD Coordinator Natalie Kaunda listens during a joint press briefing for CSOs at Kapingila House in Kabulonga yesterday - Picture by Tenson Mkhala

By Natasha Sakala
PF Secretary General Davies Mwila says PF has a huge responsibility of ensuring that President Edgar Lungu retains State House in 2021, at all costs

Meanwhile, Kapoche PF member of parliament Charles Banda has urged the party members in the province to vote massively and not leave room for the opposition to amass votes as 2021 approaches. *To page 7*

Zesco, Eskom have no power import deal yet, reveals Dora

By Natasha Sakala
Chief Government Spokesperson Dora Siliya

yesterday failed to give a clear indication on when consumers will get some relief from load shedding with the importation of electricity from South Africa, revealing instead that Zesco and Eskom have not yet reached an agreement on one aspect of the deal. *To page 5*

Lungu jets into Botswana for Masisi's inauguration

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Kaizer blocks bailiffs at REA, stops them from enforcing court order

By Sipilisiwe Ncube
Bailiffs on Wednesday pounced on Rural Electrification

Authority (REA) headquarters and warehouse in Lusaka's Chinika area to seize property following the institution's failure to settle over K4 million debt owed to Earthrow Investment Limited. But drama ensued when President Edgar Lungu's Special Advisor for Politics Kaizer Zulu arrived at the scene and blocked the bailiffs from effecting the court order. The bailiffs managed to seize assorted goods at the REA warehouse, but failed to access the head office as Zulu, who was driving a white Range Rover registration number BAG 1183, blocked them from executing the court order. *To page 5*

PF has gone crazy, that's why they accuse me of causing heatwave, hunger - HH

Story page 4

ZAMTEL urges early introduction of savings habit to children

By Diggers Reporter

Zamtel says children should be introduced to a culture of saving money in order to create a financially literate Zambia. In commemoration of this year's World Savings Day which falls on October 31, Zamtel Head of Corporate Affairs and Government Relations Reuben Kamanga said children should be oriented on the benefits of saving money at an early stage. This year's global commemoration of World Savings Day is being held under the theme "Be Money Smart: Savings Give Life a Lift!" According to a statement from the Zamtel Corporate Affairs and Government Relations unit, Thursday, Kamanga said Zamtel was proud to be actively playing a role in the promotion of financial inclusion through the use of digital channels such as Zamtel Kwacha and ZamPay. He said saving money for the future was important as it acted as a buffer against some of life's eventualities. Kamanga said Zamtel, as a Prime driver of digital transformation, had developed innovative platforms and channels that made it easier for people to save a portion of their incomes using their mobile devices. "We realise that a well-entrenched savings culture will go a long way in deepening our financial sector in line with the National Financial Inclusion Strategy which targets to increase financial inclusion from 59% to 80% by 2022. Using Zamtel Kwacha, our customers can save up to K10,000 for individual accounts and K250,000 for Small to Medium company accounts with ease from within the comfort of their homes or offices," Kamanga said. "Since Zamtel Kwacha is easy to use, we are encouraging parents and guardians to open savings accounts for their children and jointly manage them in order to inculcate a savings culture in children." Kamanga said using Zamtel Kwacha, the company was moving into a new era of mobile savings and loan products using Patumba, which is a partnership with Hobbiton. He said the partnership enabled any active Zamtel mobile money customer

to earn attractive interest on any deposits into the Hobbiton Savings and Credit account. "This is another partnership that provides an end to end social security platform consisting of investments, savings and credit towards education or retirement plans. We are committed to an inclusive

agenda in the financial sector as we strive to make Zambia a cashless society," said Kamanga. He said Zamtel was encouraging savings while improving access to microcredit for the unserved and underserved population, thus bridging the savings and credit provision gap in Zambia.

By Stuart Lisulo

The annual rate of inflation has increased to 10.7 per cent in October, up from 10.5 per cent recorded in September, the highest on record since October, 2016, according to Central Statistical Office (CSO) data. Announcing Zambia's annual rate of inflation for the month of October, CSO Interim Statistician General Mulenga Musepa said the continued rise in inflation in October was largely attributable to food price movements, mainly maize products, such as mealie meal, which had again shot up to a national average of K140.29 per 25Kg breakfast bag, the highest on record so far. "The year-on-year inflation rate as measured by the all items Consumer Price Index (CPI) for October, 2019, increased to 10.7 per cent from 10.5 per cent recorded in September, 2019, indicating an increase of 0.2 percentage points. This means that on average, prices of goods and services increased by 10.7 per cent between October, 2018, and October, 2019," Musepa told journalists in Lusaka, Thursday. "The increase in the annual rate of inflation was mainly attributed to food items price movements. The increase in the annual food rate of inflation was mainly attributed to products, such as breakfast mealie meal, roller mealie meal, maize grain, imported rice, meats and meat products (i.e. mixed cut, T-Bone and live chicken)." He explained that the sustained mealie meal price increments in the past few months had triggered a nearly one percentage point increase in the annual food inflation rate, which fed into the overall annual rate of inflation. "The year on year (annual) food inflation rate for October, 2019, was recorded at 13.3 per cent compared to 12.4 per cent recorded in September, 2019, indicating an increase of 0.9 percentage point. An increase in the food annual inflation rate was mainly attributed to price

Inflation rises to 10.7%

movements of food items, such as Breakfast mealie meal, Roller mealie meal, maize grain, imported rice, mixed cut, T-bone and live chicken," disclosed Musepa. Of the total 10.7 per cent annual inflation rate

recorded in October, food and non-alcoholic beverages accounted for 7.0 percentage points, while non-food items accounted for 3.7 percentage points, according to Musepa. CSO data reveals that

Zambia's annual rate of inflation of 10.7 per cent recorded in October has peaked to a three-year high since October, 2016, when inflation was 12.5 per cent before it dropped to close 2016 at 7.5 per cent.

Zambia's annual rate of inflation has continued rising far above the Bank of Zambia's (BoZ) targeted corridor of 6-8 per cent, and is firmly into double-digit territory before the end of this year.



Co-founders of Women's History Museum of Zambia Samba Yonga and Mulenga Kapwepwe examining a large, round, textured artifact in the Museum of Ethnography in Sweden with Museum staff

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Lungu jets into Botswana for Masisi's inauguration

By Sipilisiwe Ncube

President Edgar Lungu is today expected to travel to Botswana for the inauguration of that country's elected leader Dr Mokgweetsi Masisi. This follows Dr Masisi's landslide victory in Botswana's October 23 general election. And Special Assistant to the President for Press and Public Relations Isaac Chipampe confirmed President Lungu's travel, adding that he will return home as soon as the event ends. Meanwhile, President Lungu congratulated Dr Masisi and the people of Botswana for the successful holding of peaceful elections. "His Excellency Dr Edgar Chagwa Lungu, President of the Republic of Zambia, is scheduled to travel to Botswana to attend the swearing-in and inauguration of his counterpart Mokgweetsi



Eric Keabetswe Masisi as President of the Republic of Botswana. The swearing-in and inauguration of Dr Masisi as President of the Republic of Botswana follows national elections, which were held on October 23, 2019, in which he emerged winner with a landslide victory, and was declared winner in the Botswana Democratic Party ticket on October 25, 2019. The President returns home as soon as the event concludes," announced Chipampe in a statement.

Help nations embrace good financial governance, Fraser-Moleketi tells Auditor Generals

By Julia Malunga

Auditor Generals in the region have been encouraged to report on their own performance using the integrated approach. And the Auditor Generals have further been encouraged to help nations embrace good financial governance if lives of the citizens are to be transformed in their respective countries. Speaking at the on-going African Organisation of Supreme Audit Institutions English speaking countries (AFROSAI-E) 14th Technical Update

Conference in Cape Town, South Africa guest speaker Dr Geraldine Fraser-Moleketi said inclusive public audits are an integral part in ensuring that good financial governance was attained in member countries. According to a statement issued by Zambia's Office of the Auditor General public relations head Ellen Chikale, Dr Fraser-Moleketi said as Supreme Audit Institutions aimed to achieve Goal 16 of the SDGs which is "Peace, Justice and Strong Institutions"

there was need to execute inclusive public audits where no one is left behind. Dr Geraldine Fraser-Moleketi, who is the Chancellor of the Nelson Mandela University, further observed that transforming the lives of citizens must be the drive of all national public audits. On the integrated approach of reporting performance AFROSAI-E Sustainability Assurance Manager Melissa Reddy said the integrated approach gives a holistic overview of how the SAI is fairing.

She said this promoted transparency and accountability in the respective Offices of the Auditor General and remained part of their good corporate governance. "In Zambia, Office of the Auditor General has consistently been reporting on its performance over the years in its Administrative Reports. This is one way of demonstrating International Standard for Supreme Audit Institutions (ISSAI) 20 which promotes on Transparency and Accountability," stated Chikale.

Citizens should support tariff hikes if it guarantees less load shedding – CEC

By Ulande Nkomesha

Copperbelt Energy Corporation (CEC) Plc says all stakeholders must be willing to pay for any looming power tariff increment to reduce load shedding in Zambia, but only if the Cost of Service Study proves that the cost of generating power is more expensive than the existing tariff structure. Commenting on the looming power tariff increment ahead of the release of the Cost of Service Study, CEC managing director Owen Silavwe said Zambia

still required an upward adjustment in its power tariffs to address load shedding, which remained a challenge. "If the solution has been discussed, we don't have any other local sources so the short-term is either emergency sources or import from the region. So what that means is that depending on the price at which we import (power), it might require that all the consumers top up. If that reasonable uplift basically guarantees less hours of load shedding, I think it

makes sense. All consumers [should] support that, be it residential, be it industrial or commercial customers," Silavwe said. "So, as a principal, if we are going to put a solution on the table that reduces the hours of load shedding and that solutions requires additional funding, I doubt that government, alone, can put that additional funding. If the government is able to put up, well and good. All stakeholders should support as long as it results in reduced hours of load shedding, it results in helping them to have more hours of power, which basically means it helps their productivity, obviously, at the moment the load shedding has a huge cost on the economy, on the businesses." He, however, emphasized the need to complete the Cost of Service Study. "The issue has been that, the cost of providing electricity, overall, has been higher than the current average tariff in the country. That has been the raging debate. Now, what people have been demanding is that can we do a Cost of Service, which is basically meant to establish what is the real cost of providing this electricity to the consumers. If we did that, then we can understand that, the cost is somewhere around this number and then it will give us a perspective as to whether the price at which the consumers are taking power is actually lower than the cost at which we are delivering this power to the consumers," he said. "That is the study that has, unfortunately, delayed and everybody, obviously, focused on when are we going to get this Study. Unfortunately, the new date when the study could be completed has not yet been communicated. The Cost of Service Study is critical in guiding everybody to know

what is the gap, if there is any, between the current price or tariff versus the cost at which it is delivered to the consumers. That remains critical in terms of giving us information on any gap." And he said the study would equally help establish if there was need for the country to increase its power tariff structure. "The comparative studies have shown that Zambia is among the lowest with the lowest tariffs in the region. But there is an association of regional regulators that carries out that study almost every year and if you look at the result, it does stick to the fact that Zambia, among the SADC countries, is among the countries with lowest tariffs. For me, that in itself does not tell you the full story. What tells you the full story is the understanding this cost of service. Look, if your tariff is the lowest, but it meets your cost of service, there is nothing wrong with that, however, if your tariff is the lowest, but it does also not meet your cost of service as a country, then you have a problem," said Silavwe. "If your tariff is the lowest and it meets your cost of providing the service, then you will be saying as a country that, we have a competitive tariff because it is going to encourage investment and all sorts of things. So, it needs to be put into context by doing that cost of service before making a comparison. The real assessment is that how to compare your cost of providing the service. If it is lower than the cost of providing the service, then you have a negative gap, which you need to close that should provide a sustainable service because the issue here is sustainability. So, comparative is important. But more important is understanding the cost of service provision."



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LCK Chambers was founded by Linda Kasonde in 2019 as a social enterprise that aims to provide affordable legal services to support the work of Chapter One Foundation, a non-governmental organisation that promotes and protects human rights, human rights defenders, constitutionalism, social justice and the rule of law in Zambia. In addition to supporting the work of Chapter One Foundation, LCK Chambers is a full service corporate and commercial firm that houses diverse clients by providing services such as competition and consumer protection law, conveyancing, corporate advisory and commercial law, dispute resolution, employment and labour law, Intellectual property, pensions and Insurance and probate.

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By Sipilisiwe Ncube

UPND president Hakainde Hichilema says the PF has gone crazy and that's why it's accusing him of causing the heatwave, high mealie meal prices and drought.

And Hichilema has warned Eastern Province Minister Makebi Zulu to be careful with his accusations he causes him to be bankrupt and cleaned up through legal processes. Meanwhile, speaking when he featured on the Chat-Back programme on Radio Christian Voice, Thursday, Hichilema dared government to arrest him if it was true that he sold the Lower Zambezi National Park.

Hichilema was reacting to allegations from Zulu that he sold the national park off to investors.

"Sometimes, I hear wrong things said about me and about other people. But someone goes to television, Makebi Zulu, a young man whom I thought was sensible was sitting with other buffoons around there. He was sitting with ignorant chaps around him... (like) Sunday Chanda, but I only cared about Makebi Zulu. Factually wrong, conceptually wrong! The philosophy of selling something is anchored on ownership. You can only sell what you own. You cannot sell somebody's shirt. One, you must be crazy [and] two, you must be a thief! I don't own the Lower Zambezi National Park. By

name, Lower Zambezi National Park means it's a national asset, it belongs to the people of Zambia. And the custodian of National Parks is the Ministry of Finance, the Treasury. How did I sell Lower Zambezi National Park, which is an asset of the people of Zambia and everybody was looking? That's buffoonery of the highest order! That is ignorance of the highest order," Hichilema said.

He dared Zulu and anybody else accusing him of having offloaded the Lower Zambezi National Park to arrest him.

"Makebi come on, get serious. Don't join the click of unknowledgeable people. You are supposed to have a career. You went to the school of law. Secondly, if I sold what doesn't belong to me, then I am a thief! Why didn't they arrest me? I want to announce here, bwelani munimange imwe! (come and arrest me!) [Because] I sold the Lower Zambezi National Park, I stole. You like taking me to Woodlands Police Station, I am waiting. Take me to Woodlands Police Station and charge me with Lower Zambezi National Park. They can't do that because I didn't steal. The PF hate me to the bone. They accuse me of causing the drought, they accuse me of causing the heatwave, they accuse me of not bringing the rains," he lamented.

Hichilema said he was still considering taking legal action

against Zulu.

He urged him to refrain from Sunday Chanda's "piggery" type of behaviour because he had the capacity to make the Malambo PF member of parliament bankrupt..

"Makebi, I can sue you and clean you out, young man! You will be bankrupt [and] you will be pleading [to say] 'HH, I was only doing politics.' Don't say things like that about me! You are too young for that. I am thinking about it. I haven't decided about it, but I know if I do, I will clean you out! And you will regret it. Those who were encouraging you to say those things will not be there to save you, you will be alone. Ukule iwe, ukali mwana (grow up, you are still young). Don't follow Sunday Chanda's type of piggery behaviour. You should be different," he warned.

And Hichilema said global fund managers had pledged to inject US \$25.8 billion into Zambia's economy, but only if he emerged Republican President in August, 2021.

"I laid a story and made a request and they responded positively. Being in those rooms, talking to worldwide global fund managers, when I gave an example and specific actions (on how to grow Zambia's economy), one of them said 'HH, you have said it all. Why don't we end this meeting now and have

PF has gone crazy, that's why they accuse me of causing heatwave, hunger - HH

coffee.' We had coffee and there were side meetings. After that, we reconvened and they said 'hey, HH, we meet many African politicians [and] we don't hear them present themselves the way you have. We know you are credible, your party is credible and we will support you.' And one group alone pledged US \$1.5 billion of investment. And they said 'HH, take note, once you are sworn in today, within 10 days, we will announce and confirm us bringing US \$1.5 billion from our group alone!' And we met other groups. Conservatively, the US \$25.8 billion (worth of pledges) when broken down, we will want to fix electricity so that we end load shedding in the shortest time after taking over office," he disclosed. Hichilema also insisted that the

PF's debt-financed infrastructure development agenda was short of madness.

"There are a lot of things that we need to do there. US \$6.3 billion will go for infrastructure, different infrastructure, not airports, which is what these 'chipante-pante' people in PF are doing. You cannot develop when you spend US \$350 million to develop an airport when only four or five planes land in a day. What are you doing? You must be crazy! What PF is doing is crazy. It's near madness, to be honest. So, I said we need to open up national parks. Water points is part of infrastructure in the parks," Hichilema said.

Asked if he deliberately shunned the October 18 National Day of Prayer, Fasting and Reconciliation, Hichilema said he was moving

around the world preparing the UPND government to take over the country and refused to indulge in "parte after parte."

"It is malice to say (that) I ran away (from prayer), but it is not surprising that I am accused of such. You have seen I have already been accused of causing the heatwave, causing hunger, causing high mealie meal prices and so on. I try to donate food, they block me. We are already preparing to take over the country! We are preparing and ready to turn around the economy. I wasn't just in Washington a week ago, a month and half ago, I was in London preparing the UPND government so that when we are sworn in, day two, we are at work; work, work, and more work, not parte after parte after parte, no," he replied.

Meanwhile, Hichilema insisted that the UPND was committed to promoting human rights and not homosexuality, as alleged by PF members of parliament.

"We are committed to law and order, to human rights, not to homosexuality, no. We talked about zero tolerance to corruption. We talked about the need to strengthen governance. The Auditor General's office must be strengthened and allowed to operate independently, so is the case with the Financial Intelligence Centre, which PF will not close. We have committed ourselves as UPND that we will leave the FIC operating and strengthened. The Anti-Corruption Commission, too. We talked about the bringing back of the professional civil service that will deliver to the people of Zambia. We will restructure the debt," he said.

Hichilema vowed that no Chinese national would be granted a Mukula trading license once he becomes Republican President after next year.

"We will give Zambians Mukula licenses; no Chinese will be given a Mukula license! And I have no shame to say that. Our target is that by year two or three of being in government, we should be getting to the growth rate of seven per cent plus, which PF wiped out. It also means that there will be no load shedding, mark this radio programme, record it and say that 'HH said there will be no load shedding.' You know that what I predict happens, at least from the economic and business side. And I want Zambians to be proud that they have a son called HH and that they have daughters and sons in the UPND who are capable of changing things for better," he added.

Hichilema also stressed that government should not make electricity users pay for "its foolishness and lack of a vision."

"Kulibe malaiti (there is no electricity supply), but they are increasing the tariffs, where is the logic? If the cost of doing business is very high, you cannot ask electricity users to pay for your foolishness! Because of your foolishness and lack of vision, the dollar exchange rate, which Mwanawasa left at K5, you take it to K13," said Hichilema.

Court of Appeal upholds High Court's decision to award ex StanChart employee 3-yr salary as damages

By Zondiwe Mbewe

The Court of Appeal has upheld the Lusaka High Court's decision to award former Standard Chartered Bank Zambia head of legal, compliance and company secretary Celine Meena Nair 36 months' gross salary as damages after establishing that she was constructively dismissed from employment.

A panel of three Court of Appeal judges dismissed the appeal by the bank, saying all the nine grounds of appeal lacked merit.

In this matter, Standard Chartered Bank Zambia had appealed against the judgement of then High Court Industrial Relations Divisions Judge, Martin Musaluke, which found that Nair had been constructively dismissed by the bank.

Nair had sued the bank in the High Court's Industrial Relations Division following her resignation on July 28, 2015, which she claimed was necessitated by acts and words of abuse she suffered over a period of time at the hands of the bank's managing director and chief executive officer Andrew Okai.

According to Nair's evidence on record, she worked at the bank for three substantive managing directors and acting managing director, including director and chief executive officer Andrew Okai.

She told the Court that her work relations with the managing directors apart from Okai were excellent and professional such that she received cash bonuses and recognition for her hard work from them.

Nair had told the Court that she resigned on July 28, 2015, having joined the bank on July 17, 2006, on a pensionable and permanent basis.

She told the Court that she had resigned from the bank because Okai victimized and harassed her, and that before she tendered her resignation letter, she had brought to the attention of the bank, acts of abuse by the CEO through an email dated July 9, 2015, addressed to

Kerin Lyn Sader her line manager and copied to Emmanuel Degroote.

And in his judgement delivered on October 12, last year, Judge Musaluke, now Constitutional Court Judge, awarded Nair 36 months' gross salaries as damages, saying the law was settled that where an employer fails to investigate an employee's complaint or grievance, malice on the part of the employer will be implied.

But dissatisfied with the High Court judgement, the bank appealed to

the Court of Appeal and filed nine grounds.

However, in the judgement delivered on October 15 this year, Court of Appeal judges Justin Chashi, Judy Mulongoti and Florence Lengalenga upheld Justice Musaluke's decision, saying he was on firm ground when he established that Nair was constructively dismissed from employment.

The Court said they could not fault the trial judge when he found that the acts and words of abuse were

part of a series of breaches for which Nair was entitled to resign.

Justice Mulongoti said it was trite law that even one act of breach was sufficient for the employee to resign and succeed on a claim of constructive dismissal.

She held that the door-slamming incident by Okai instigated by the whole managing director of the bank was appalling and sufficient to entitle Nair to resign.

"He shamelessly participated in it and asked others to join. We are of

the view that this act disrespected the respondent and inflicted pain on her and entitled her to not trust the appellant because of the managing director and to leave," said Justice Mulongoti.

"We agree that the door slamming spearheaded by Mr Okai to inflict pain on the respondent was a breach of the implied term that the parties, especially the employer, will treat the employee with respect. All in all, we find no merit in all the grounds of appeal."

LAZ loses bid for injunction against Bill 10

By Zondiwe Mbewe

The Constitutional Court has in its majority ruling declined the request by the Law Association of Zambia (LAZ) to restrain the National Assembly from continuing with the legislative process to enact the Constitutional (Amendment) Bill No.10 into law, pending determination of its petition.

But Constitutional Court judge professor Margaret Munalula said this is an exceptional case deserving an order of interim injunction against the State because LAZ would suffer irreparable harm if the process goes ahead.

The refusal to grant LAZ an injunction means the National Assembly will now proceed with its process to alter Constitution despite the court process.

In this matter, LAZ is challenging Constitutional Court judge Annie Sitali's refusal to grant it an interim injunction restraining the National Assembly from continuing with the legislative process to enact the Constitutional (Amendment) Bill No.10 into law, pending determination of its petition where its challenging government's attempt to alter the Constitution of Zambia through the same bill.

In the majority ruling read by constitutional court judge Enock Mulembe who sat with justices Prof Munalula and Martin Musaluke, the court ruled that LAZ would not suffer any

irreparable harm if the government was allowed to go ahead with the process of Constitution (Amendment) Bill no 10 of 2019 pending the hearing and determination of the petition.

The matter was heard by Constitutional Court president Hilda Chibomba, Mungeni Mulenga and the said three judges but justice Chibomba and Mulenga were not available when the ruling was being delivered.

Justice Mulembe said the court's firm view was that this was not an appropriate case in which the court should exercise its discretion to grant an injunctive relief as prayed.

He said LAZ had not sufficiently demonstrated how it will suffer irreparable harm.

"In the main matter, the petitioner is alleging breaches or contraventions of the constitution. The petitioner will have an opportunity to argue this position before this court. We hold that the petitioner does return his right to defend the constitution even without injunctive relief. We find no merit in the petitioners application and decline its request for an injunction to restrain the respondents," justice Mulembe said.

But in her separate opinion, Justice Munalula said denial of the interim injunction would prevent LAZ an opportunity to defend the petition on its merit.

She said LAZ should have been granted an order of interim relief because it would suffer

irreparable damage in an event that the process went ahead.

"I'm of the firm view that this court is well within its powers to grant an interim injunction until the main matter has been disposed of. It is clear to me that this is an exceptional case deserving of an order of interim injunction against the respondents. I do find that the petitioner will suffer irreparable harm if interim relief is not grant. I find that this is a proper case in which to grant an interim injunction as prayed," justice Munalula said.

Earlier in the day, the court set aside the subpoenas on the Attorney General Likando Kalaluka and Minister of Justice Given Lubinda for being irregular.

Constitutional Court Martin Musaluke ruled on behalf of other judges that that the summons to subpoena Lubinda and Kalaluka were irregular because LAZ did not seek leave of the court before issuing the notice.

He said that it was important for the party seeking to subpoena someone to seek permission of the court to give the court an opportunity to examine and establish whether the party which was seeking to subpoena someone had met all the requirements for doing so.

The main petition will be heard on November 12, 2019.

Kaizer blocks bailiffs at REA, stops them from enforcing court order

By Sipilisiwe Ncube

Bailiffs on Wednesday pounced on Rural Electrification Authority (REA) headquarters and warehouse in Lusaka's Chinika area to seize property following the institution's failure to settle over K4 million debt owed to Earthrow Investment Limited.

But drama ensued when President Edgar Lungu's Special Advisor for Politics Kaizer Zulu arrived at the scene and blocked the bailiffs from effecting the court order.

The bailiffs managed to seize assorted goods at the REA warehouse, but failed to access the head office as Zulu, who was driving a white Range Rover registration number BAG 1183, blocked them from executing the court order.

On October 19, bailiffs had seized vehicles from the Authority namely, a Toyota Land Cruiser ALX 6722; Toyota Land Cruiser ABV 2600; Toyota Land Cruiser ABV 175; and Toyota Land Cruiser ALB 4802 and office furniture.

But sources at REA told News Diggers! in an interview that Zulu intervened, adding that out of fear, the bailiffs returned the seized furniture and vehicles.

"Kaizer Zulu is here at REA and has blocked the sheriff and trying to stop the sheriff to execute. The REA seizure could only happen at the warehouse premises. However, Mr Kaizer Zulu intervened and,

unfortunately, due to pressure, the furniture and vehicles seized at head office were returned by the sheriff on the understanding that REA agrees to a consent judgement and payment plan to settle the debt. The bailiffs were requested to stand down at the head office, but there was another team that had already executed and collected quite a number of items at the REA warehouse in Chinika. So, despite the seizure being curtailed and stopped at the head office by this official from State House, the one at the warehouse still went ahead," the source revealed.

According to a writ of fieri facias signed by the High Court, REA in 2013 contracted Earthrow Investment Limited to build a substation in Kaoma district's Luampa area, but later terminated the contract in September, 2014, forcing the company to seek legal redress at the Arbitration Tribunal.

And the Arbitration Tribunal in its ruling ordered REA to pay K3,494,332.49 and a 10 per cent interest, bringing the total debt to K345,192.19.

Further, according to the sheriff's seizure form dated October 30, 2019, the Court ordered for a seizure of assorted goods like furniture, fridges, television sets, bicycles, and gensets, among many other items.

"Take note that by virtue of an authority given to me by the

court as sheriff's officer, I have on this 30th day of October, 2019, seized goods specified in the following inventory for the sum of K4,201,362.49. The inventory to which the above notice refers as follows: transformers (59); Samsung upright fridge; music system; Hisense upright fridge;

computers, Canon copier; bicycles (27); duplex cables (7); aerial cables (30); ladders; pistol grips; Samsung TV, L.G. Plasma; office chairs; water dispenser; microwave; robin compactor; Honda GX690 genset and scotts genset," the Sheriff's seizure form read in parts.

"And further take note that, unless the amount demanded and endorsed in this warrant, together with the Sheriff's fees and expenses are paid, the goods or properties taken in execution as seized goods shall be sold by Sheriff's Sale by auction five days next after date of seizure unless they are sooner retrieved.

If there are some representations or negotiations of some sort, the goods seized shall remain in the custody of the Sheriff the Judgement Debtor's risk. The Sheriff's office is not responsible for the delivering of goods seized so as the goods damaged in the course of seizing and storage."

Zesco, Eskom have no power import deal yet, reveals Dora

By Natasha Sakala

Chief Government Spokesperson Dora Siliya yesterday failed to give a clear indication on when consumers will get some relief from load shedding with the importation of electricity from South Africa, revealing instead that Zesco and Eskom have not yet reached an agreement on one aspect of the deal.

And Siliya says Zesco and Maamba Collieries will be able to sort out their issues because it is normal for business entities to owe each other.

Meanwhile, Siliya who is also Minister of Information and Broadcasting Services, says she will make an announcement on whether the mining license for the Lower Zambezi National Park can be revoked after consultations with the necessary ministries. Siliya was speaking when she featured on Hot FM's Hot Seat program, Thursday.

On October 23, Energy Minister Matthew Nkhulu assured consumers that they would have some relief from load shedding within a fortnight, explaining that payment for the power supply was already being processed. But when asked for an update, Siliya said Eskom and Zesco had not yet reached an agreement.

"Well, these are business

transactions because these are not ordinary times. The power challenge is facing us all in the region and the Minister of Energy was very clear at that press briefing that they were negotiating with Eskom because it was demanding that they wanted to supply us power for six months, now this is power that is costing about US\$21 million, I believe, per month and we were arguing that we are expecting that we will have rains sufficient enough to provide the Kariba north bank with power in the next two months and so our shortfall is just for two months. So of course Eskom are business people, they want a longer contract so that they can make more money and we are saying 'no, the people of Zambia are also stressed', we can't be paying for six months when we only need the power for 2 months. Every effort is being made. The Minister of Energy just returned on behalf of his Excellency the President (Edgar Lungu) from Mozambique to follow up on these same issues. He was also in South Africa, so they are also talking on the phone. So these discussions or transactions have to be concluded between Zesco and Eskom and Zesco and EDM of Mozambique. I think for South Africa, we have come quite close to concluding

because the resources required were ring fenced," Siliya said. "So the principal that they were going to supply us with power had already been agreed upon, the issue was for how long and government was insisting that 'look, we were ready with the US\$42 million at least to pay for the power for two months' and when I spoke to the minister of energy yesterday (Wednesday), he told me that at least if not all this amount, at least the remainder of the US\$42 million out of the US\$10 million which was paid last week, that the balance of that I think was paid yesterday (Wednesday). So this is where we were at and we have made some payment, at least our commitment to two months, that we are happy to have power for two months because as soon as it begins to rain, we know it's raining in the extreme parts of North Western Province and the source of the Zambezi (river) and we hope that within two months, our river and our lakes will be full enough to be able to generate the electricity that we need."

And Siliya said Zesco and Maamba Collieries would be able to settle their differences. "The relationship between Maamba Collieries and Zesco, that's a business relationship and in business, this one owes that one and so forth but what I know for sure is that the reason we have had this extended load shedding is because one of the broilers at Maamba Collieries proving 150MW at this point is not working and they are actually rehabilitating it but there are specific business transactions between Maamba and Zesco I am sure they will continue to work out because that is why Maamba made a decision to come and invest in Zambia, they saw the business opportunity, they saw the potential and they are working with Zesco and am sure they will continue with those business transactions and should be able to resolve them," she said.

"Look, government has ring fenced the payment for power from Eskom because this is an emergency import and government has ring fenced that and this is why immediately resources within government were found so that we should be able to pay for this power. If you recall, initially it was that 'we don't want to have any further debt on the payment of power to

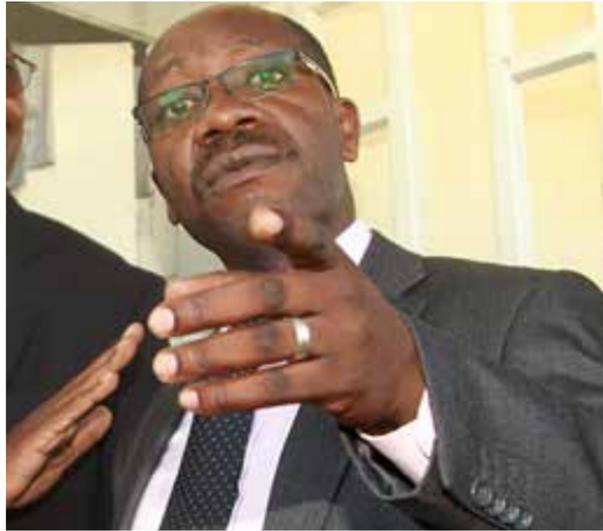
Eskom so let us pass on this cost to the citizens in a cost sharing mechanism', that was the initial thought by government. After reflection and hearing the call of the people, government decided that okay, 'maybe let's look out to whatever resources are available within government, whether it was from ZRA, whether it was from ZCCM-IH and all these institutions, let us look for whatever resources that are available that we can be able to use to pay for this power. So these resources were ring fenced because it's an emergency import, it's only for two months and the bill is very clear and this is what we have done."

Meanwhile, Siliya said government had taken keen interest in the debate about mining in the Lower Zambezi National Park.

"I don't have information on people who have interest in that license. Well, let me make the announcement (on whether the license will be revoked or not) when the consultations within government have been concluded so that I do not give you fake information, I can only do that once the Minister of Mines, the Minister of Tourism and the Minister of Lands have looked at all the paperwork. I think it's also important that we also understand what has been the bone of contention up to this point to get to the courts and where is that matter right now. So as of now, government has been listening to these debates in the last one week, particularly on the licence being granted in a national park," said Siliya.

"If it is indeed correct, I saw even the First President weigh-in yesterday. The issue is that a license is granted, the citizens, at least some members of the public are questioning the license being awarded for mining in a national park and that's the issue that I am saying government is going to address through the Minister of Mines. Now I have seen a lot of debate on who are the interested parties in that license, I don't think that that is for me as Government Spokesperson at this point because those are very specific details."

And Siliya also said that ministers who served illegally after dissolution of Parliament in 2016 were still consulting with the Ministry of Justice on the way forward and were of the view that they worked and deserved to be paid.



Mines shouldn't increase production at expense of human life – Musukwa

By Daniel Chansa

Mines Minister Richard Musukwa says mining companies should not increase production at the expense of human life.

He said it was important for mining companies to employ mining methods and technologies that guaranteed sustainability.

Musukwa said this during the opening of the 5th National Conference on Occupational Safety, Healthy and Environment held by the Zambia Chamber of Mines in Ndola, Thursday.

"Our desire is to have a growing mining industry, using technology that generates benefits with zero negative impacts on communities. Therefore, mining companies should employ mining methods and technologies that guarantee sustainability. The increase in mineral production should not be at the expense of human life," Musukwa said.

"Government has in the recent past expressed serious concern over the high incidences of mine and industrial accidents that have continued to occur, and has called for necessary measures to curb the trend. Therefore government calls for

more concerted efforts by all players in the industry to improve our occupational safety and health systems...Regrettably, environmental and occupational safety issues have continued to emerge, and to some extent still dominate debate nationally and globally. Environmental activities that were undertaken in the past have continued to be of concern."

And Musukwa said mines were using far more electricity than they needed.

"The country is facing a huge deficit of power. Mines use a massive amount of electricity-usually far more than they need. By combining smart devices with algorithms that accurately determine electricity needs in various sections of a mine, mining operations can save money and increase sustainability," said Musukwa.

Meanwhile, Chamber of Mines president Goodwell Mateyo said for any mine operator, a safe work place was essential for the long-term wellbeing of its people.

"Mining lies at the heart of our economy and is a major driver of foreign exchange earnings and a significant contributor to our country's GDP. However, this

economic activity does make an impact on our environment, and can affect the health and safety of those working in the industry and the people living in communities around mine sites. For any mine operator, a safe work place is essential for the long-term wellbeing of its people. Fatalities, occupational disease and injuries must therefore be avoided at all costs at work. Indeed responsible mines must empower employees to refuse to carry out any unsafe work," Mateyo said.

Mateyo said the effects of climate change had manifested dramatically in the country.

"The effects of climate change have manifested themselves rather dramatically in our country and region. It is therefore imperative that mine operators minimise the impact of their operations on the environment. Therefore, [this] provides us all within the industry an opportunity to exercise leadership in discussing and coming up with innovative ideas to minimise the impact of our operations on the health and safety of our employees, our communities in which we operate and the environment," said Mateyo.



PAC
 PEOPLE'S ALLIANCE FOR CHANGE
Viva New Zambia!!
 Why we deserve your vote



The No Use Auditor General's Report

By Andyford Mayele Banda

Last week I had a good laugh. Someone from the Copperbelt sent through an image of people trying to balance on some stones as they walked through a flooded area of what looked like Lusaka City Market area, and it was captioned, 'ba Lusaka, your annual traditional ceremony is around the corner'. Meaning that something we have come to expect each year was approaching. I realized that unfortunately, the release of the Auditor General's report annually is always followed by a 'traditional ceremony' of the many ills cited from the audited year. It is a given that there will be wrongs and in recent years these have been on the upswing with seemingly zero concern from the President and all his Ministers.

The report is comprehensive and we urge Zambians to take an interest to see how the PF is managing, or is it mismanaging the money collected through tax, tolls and other means from them. Please go to <http://www.ago.gov.zm/report.html>, and simply have a feel of the reports there starting with the most current, the 2018 report. We will, however, pick a few items to highlight and point out.

To start with, it must be noted that from the trend analysis, the outstanding issues that remain unresolved from the Treasury Minutes (Action Taken Report) prepared by the Ministry of Finance on the Reports of the Auditor General for the financial years ended 31st December 2012 to 2015 stood at 933. The Treasury Minutes for the outstanding issues from the Reports of the Auditor General on the Accounts of the Republic for the financial years ended 31st December 2016 and 2017 are still being compiled by the Ministry of Finance. For us, these shows a government that has a very casual relationship with resolving matters and subsequently shows a Government deeply infected with the misapplication of funds, misappropriation of funds, missing store items – basically a

corrupt and uncaring lot. These are recommendations from the Auditor General and the Parliamentary Accounts Committee (PAC). Basically it shows that all those meetings etc are just a formality to show and hoodwink people of the supposed seriousness of the PF in their quest to look good!

Regardless, we pile more dirt on the rubbish heap that will no doubt be resolved only when there is change of Government in 2021.

One of the most glaring irregularities in the Auditor General's report is the concession agreement between RTSA and the infamous Intelligent Mobility Solutions (IMS), where a private company was to collect funds on behalf of the Republic of Zambia. Even as lay people, this concession does not make sense to us and we are very aware that the Attorney General saw no problems with it and if not for the Solicitor General stopping it, we would have lost funds as a nation to a few corrupt individuals. The Auditor General's report captured some of the irregularities in this concession agreement and we pick these directly from the report;

- The Concession Agreement provided for opening of an escrow account where all projects revenue was to be deposited. The agreement also provided for sharing of the revenue in the escrow account. Legally, both of these proposals ARE NOT supported by any law. Technocrats handling this matter from RTSA should have highlighted this. The Attorney General should have seen this glaring irregularity but he had no problems with it and subsequently the concession agreement was signed. In whose interest was Likando Kalaluka acting?

- As at August 2019, IMS management indicated that they had invested a total amount of US\$9,847,475. This is a huge amount. However, to date, no supporting invoices for this amount have been shared by IMS.

- On 13th June 2019, Ministry of Finance paid IMS an amount of K10,652,942 as concession fees covering the period from August 2018 to March 2019. However,

no evidence of the computation supporting the amount that was paid, was provided!

- As at 31st December 2018, the IMS had collected K1,441,266 from speed fines through the unapproved bank account, which is in violation of Financial Regulation No. 140 (1). All these things, the Presidential appointee – Attorney General Likando Kalaluka did not see this as a problem??

- There are many more irregularities on this matter alone, but we pick another.

On the revenue side, there were several irregularities cited that resulted in loss of revenue for Zambia.

- A scrutiny of the tax arrears database revealed that 294 tax debtors with a combined tax liability of K21,667,298 had absolutely no contact details thereby making it not possible for the Authority to pursue the tax debtors. The implication is that this K21.67 million has been lost!

- A review of 1,851 approved bills of entry valued at K152,171,591 at ten stations processed during the period from 1st January to 31st December 2018 revealed that although payments for had not been made, the goods were neither found at the stations nor entered to be warehoused as at 20th September 2019. Further, no supporting documents had been provided to indicate why they had been given special entry. Again, more revenue lost.

Overall, a cursory look at the comparative summary of some of the issues contained in the report, we can see that unaccounted for stores rose significantly to K133,815,072 in 2018 from K6,370,531 in 2017. Undelivered materials K9,195,241 (2018) from K1,486,568 (2017). Also, overpayments 15,824,166 (2018) from K7,437,149 (2017).

Clearly our leaders have no sense of shame. If President Lungu and the PF government were serious about safeguarding the country's

resources, the entire team that managed the concession agreement between RTSA and IMS should have been fired by now. The Attorney General should have been facing a barrage of questions by now with the President leading the onslaught. However, we see no actions and we even have unresolved matters in the 2018 Auditor General's report from as far back as 2012. Other than mumbling at the airport as he does, we expect President Lungu to hold people to task seriously. How is it that so much revenue can go uncollected in Zambia? Are we serious about our position? Or is it that this revenue was lost in allowing selected individuals and companies bring in goods duty free? There are so many matters and we will go through the report further to highlight more. However, we also implore upon Zambians to develop an interest in reading these reports. Please download it at <http://www.ago.gov.zm/report.html>. See what is happening and make an informed decision about the seriousness of PF in correcting ills highlighted!

Under the PAC government each Ministry will be given a target to ensure that audit queries are minimized to the barest minimum failure to which the Minister responsible and senior personnel will be fired. The President under PAC will take responsibility about the irregularities coming out of the auditor general's report. The President under PAC will have the responsibility to ensure the PAC government performs well as regards the auditor general's report. The PAC government will come up with the day called "Audit Day" where each ministry will have to answer to the public on the audit queries in the auditor general's report. The President will wrap it and unfortunately, for some Ministers, that will be the last time they will address the people. Politicians shouldn't treat public resources like it's their own resources. A PAC government will be serious with safeguarding public resources.

Andyford Mayele Banda
 President
 People's Alliance for Change (PAC)

By Natasha Sakala

PF Secretary General Davies Mwila says PF has a huge responsibility of ensuring that President Edgar Lungu retains State House in 2021, at all costs. Meanwhile, Kapoche PF member of parliament Charles Banda has urged the party members in the province to vote massively and not leave room for the opposition to amass votes as 2021 approaches. Speaking when he addressed party officials in Chipata, Thursday, Mwila urged the party to ignore sentiments by Chief Mukuni that President Lungu has

Lungu has to win 2021 at all costs, says Mwila

opted out of the 2021 race. "As a party, we value your contribution to the party but I have always said that the President's support should start from here because this is where he comes from and I am not trying to be tribal, I am just trying to be factual. The support, this is the constituency of the President, the support must

start from here then it goes to Luapula, Muchinga, Northern, Copperbelt and Lusaka. So it is up to you colleagues to start or continue mobilizing the party, the strength of the party lies in the branches and the section. We made a decision as central committee to run with President Edgar Lungu as candidate for 2021. That is the decision that we have

made and there is no change to that so what you are hearing from the social media, Chief Mukuni, let him mind his own business, let him talk about their candidate in UPND. So he must leave PF alone, we have already decided please Chief Mukuni, leave us alone! This is our party, you belong to UPND. So forget about what Mukuni said, let him

just continue looking after his people in Kazungula. The job ahead of us is too big, we have to retain the President in State House at all costs," Mwila said. "So our job, as officials, let's start taking our children before 2021 to get NRCs so that we prepare our children for them to come and register for 2021 election. This is very important, we have to register people above one million this time, we were around 778,000, and we have to be above one million. We have to be at par with Southern Province in terms of registration, in terms of voting so the job is with you. I don't want when I go, I hear that all the officials have gone to sleep. Please, you have to start work now. Take your children as officials, the ward officials, the constituency officials and district officials." Meanwhile, Mwila has called on Infrastructure Development Minister Vincent Mwale to work on the Chipata-Lundazi and Chipata-Chadiza roads saying they are "political roads". "And Minister, can you work on the Chipata-Lundazi road, can you work on Chipata-Chadiza road. Those are political roads, Honorable Minister, we are done. So we still have time, let's reorganize ourselves, we have the mandate from the people to lead this country and we have two more years to go. So minister, you are coming from this province, I am not trying to be tribal but you are a capable minister and you will do what I have just said. So as a party in government, we are geared to retain power at all costs because the people of Zambia have seen what we are doing," said Mwila. "But above all, we need discipline. For us to work

effectively, mobilize the people, bring people together, we need discipline amongst ourselves. This is the province for the President and discipline must start from here. Let us reserve our energies to fight the UPND and I don't mean to fight them physically. The projection for Electoral Commission of Zambia, they want to register 9 million voters, 2016 we were 6 million so they want to increase by 50 per cent. So going by the strongholds or the provinces that we have, we have to make sure that we get more than 6 million to ourselves. Let's leave one million to UPND." And Banda said the party should work harder and not leave room for opposition to gain ground in the province. "Eastern province, ndise bamene tiza winisa aPresident Edgar Chagwa Lungu mu 2021 (we are the ones who are going to make President Lungu win in 2021), everyone knows. Kuno, osati tikachite vingazi vamene tima chita kuti mu constituency (here this time around we shouldn't play games that we always play whereby) you find President Lungu 7,000 votes Hakainde [Hichilema] 6,000 votes then there is nothing we would have done. Our colleagues in their areas give us 9 votes. Remember the by-election in Mazabuka ward? They got 9,900 and we got 3 votes. But if it was here, we were going to give the UPND councilor 1,000 plus and yet we are getting 3 votes. Akuti muzako akaku chenjelela po gona, mu chenjelele po uka, tiyeni tigalamuke (they say when your friend surpasses you when sleeping, surpass him when waking up, let us wake up from our slumber). So 2021 tifakeko nzelu (Let us work harder)," said Banda.

11 CSOs petition govt to revoke Lower Zambezi National Park mining license

By Julia Malunga

A consortium of Civil Society Organizations (CSOs) have called on government to cancel all pending and existing licenses in the Lower Zambezi National Park and any other environmentally sensitive areas. And Chalimbana River Headwaters Conservation Trust secretary Robert Chimambo says the current Mining Act is harmful and needs to be reviewed. Speaking during a press briefing on behalf of the CSOs, Thursday, ActionAid acting country director Jule Kwacheya said incidences of environmental damage were being perpetrated by leaders who should be in the forefront to lead the crusade against damage to the environment. "The current debate on the mining investment in Lower Zambezi National Park makes sad reading in a country, such as ours, where there are clear policies and regulations governing the conservation of our natural resources. Such situations should not even be an issue of debate. We would like to join many other voices across in the country and internationally in condemning the planned mining investment in the Lower Zambezi. We are saddened at the fact that despite the effects of climate change being so evident and affecting the livelihoods of citizens with devastating impact on the national economy, incidences of environmental damage have continued to rise and, sadly, some are perpetrated by our leaders who should be in the forefront to lead the crusade against wanton damage to our environment," Kwacheya said. "As CSOs and citizens of this great nation, we feel duty bound to appeal to government to enforce their powers and revoke the licenses that permit mining in national parks for the sake of safeguarding the environment. Government should cancel all pending and existing licenses in the Lower Zambezi National Park and any other environmentally sensitive areas." She called for the development of stricter environmental audits and other compliance-related actions by ZEMA on existing licenses. "Develop stricter monitoring environmental audits and other compliance related actions

by the Zambia Environment Management Agency (ZEMA) on existing licenses and other economic activities. Therefore, government should endeavour to allocate enough resources in national budgets that will support ZEMA in terms of monitoring unlike what has been demonstrated in the current proposed national budget," said Kwacheya. "It is sad that as a country, we continue to fall short in terms of appreciating the benefits of our natural habitats and the ecosystem values. By choosing to disturb the habitat in its current state to accommodate mining is a clear demonstration of our myopic view of the benefits of our environment. The fact that mining contributes to the Zambian economy significantly is a fact that we cannot ignore, however, the significance of undertaking the Environmental Impact Assessment (EIA) is to ascertain the extent of the negative effects of the proposed project against the benefits." And Chimambo said there was need to curtail the Mining Act's powers. "We must review the Mining Act, this is the reason why this is happening. Can you interrogate that Mining Act? It is pernicious, it is eating in the future of children! These corporations corner State House and everybody else and come up with mining in national parks! As a matter of priority, let's get water, forest, this mining thing and environmental protection, we put them into one and

move them to be under the President, but the chief executive officer and the team there must be ratified by Parliament. That is the only way we can make patriotic and professional decisions. You can't have Bishop Chomba (Local Government Permanent Secretary) dealing with issues of the future. So, curtail the powers of the Mining Act," said Chimambo. Meanwhile, Chapter One Foundation executive director Linda Kasonde said signing of the online petition would persuade government to reverse the decision. "By this petition, it is the ordinary people of Zambia who are expressing their displeasure with the fact that mining is being allowed in the Lower Zambezi and also politicians respond to numbers, so the number of people who

respond to this petition and show the government that this is something the people of Zambia are not happy with, the more likely it is to persuade the government to reverse the decision," said Kasonde. The CSOs who constitute part of the consortium include: ActionAid Zambia; Centre for Trade Policy and Development (CTPD); WaterAid; Oxfam Wild Wide Fund for Nature (WWF); Caritas Zambia, Non-Governmental Gender Organization Coordinating Council (NGOCC); Chalimbana River Headwaters Conservation Trust; Chapter One Foundation Alliance for Community Action; Zitukule Consortium; Care for Nature Zambia Community Based Natural Resource Management (CBNRM) and Civil Society Organization Environmental Hub.

What's global warming got to do with Zesco owing Maamba, CK asks govt

By Mwanida Mwanza

National Democratic Congress Party (NDC) president Chishimba Kambwili says it is very embarrassing that people can be suffering without electricity while their government is blaming it on global warming when Maamba Collieries has revealed that it is about debt. Asked how he was doing at the Lusaka Magistrates' Court yesterday, Kambwili said he was not fine because things

were not okay in the country. "No, I am not fine, the world is not fine. I have always said that insoni eh buntu (having some shame makes you human)...It is very embarrassing, extremely embarrassing that people can be suffering like this ukwaula amalaiti (without electricity). Fifteen hours ukwabula amalaiti (without electricity) and you are telling us it is global warming! What is global warming about Maamba Collieries not being paid?" Kambwili asked.

"What is global warming about Maamba Collieries? So people should be suffering? Bafwila fye kulipila ba Maamba Collieries so that their plant can run normally, they can do maintenance to their plant, and people of Zambia wake up!" Kambwili lamented that people's businesses were badly affected by the power outages. "They are saying they are going to do a lot of generation projects other than hydro, and these generating projects are going to be done by independent power producers, like Maamba, now if he can not pay one Maamba what of five Maambas? So it simply means that we won't have electricity in this government until we have rains, elo mule seka, ba welder teti mu welde, aba ma saloon teti mu boshe imishishi, aba ice cream teti mu shitishe ice cream, aba ma bucha inama ilebola (welders won't be able to weld, hairdressers in saloons won't be able to style hair with heat, ice cream sellers won't be able to sell ice cream, those with butcheries, their meat is rotting) and you laugh that you have a government," Kambwili said. "They hid that information (about debt to Maamba Collieries), now you see, it is

embarrassing. Maamba says we have actually switched off part of the plant because we are not being paid. Elo mwaya bula aba kote bama fire tenders, ancient fire tenders, mwaya chita airlift! Just because the people started saying that nanga aya ma fire tenders ayabapela yali kwi, mwayayika pandeke, mwayima filya ifintu ifya fina (you put those heavy machines on the plane), how much did you spend? Instead of spending that money on a serious issue like people having electricity, mwaya ukuyima aba kote bama fire tenders! Mule kwata insoni! Insoni ebuntu!" Meanwhile, Kambwili urged government to immediately clear the debt owed to Maamba. "I told you the other time that the MD for Zesco was just waffling when he appeared on Sunday Interview, waffling! Ba Dora Siliya, waffling! Ala ifya kulya ubushiku fitulikila umalushi (what transpired in the night reveals itself during the day), can you quickly go and pay Maamba!" demanded Kambwili. "You haven't paid Maamba, Eskom South Africa for the power during 2015, you haven't paid, the Mozambicans, finshi mukalipilapo kamshi? (what are you going to ever pay for?)"



Germany Ambassador Achim Burkart (r) with Angola Minister Counselor Antonio Domingos Antonio during the exhibition of the First and Second World War at Alliance Francoise in Lusaka on October 30, 2019 - Picture by Tenson Mkhala

The Law Association of Zambia has lost an application for an injunction to stop Parliament from proceeding to enact the Constitution Amendment Bill number 10 of 2019 while its petition is still before the Constitutional Court.

Four ConCourt judges ruled that the Bill can proceed but Judge Margaret Munalula dissented, saying this was a proper case deserving an injunction against the respondents until the main matter was heard.

How else could the judges have ruled on this matter after making their position absolutely clear to the public in their submission to parliament. The Judiciary appeared before the Parliamentary Select Committee on September 25, this year, regarding the Constitution Amendment Bill number 10 of 2019, and their position was made very clear about what they wanted from this bill. So this was expected.

We were in shock to hear this from the judiciary because as far as we knew,

How else could the judges have ruled on Bill 10, after submitting to Parliament?

News Diggers!

Ear to the ground

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it had not happened anywhere in the world where judges submit themselves to a parliamentary committee to make submissions on a matter of dispute that is before their courts of law.

We said, since we are young, if this had happened in the past, our view was that it was totally wrong and it should not have been allowed to perpetuate.

We have always known that if judges have an issue on a matter, they make

their position known in their judgment, like they did yesterday.

We were left confused by the move taken by the judges of Zambia because at that stage, we couldn't see where the separation of powers stood. Our argument is that it is an absolute responsibility of Parliament to legislate laws, good or bad, and if anyone is aggrieved with the law or the proposals made in a Bill that is about to be enacted, that aggrieved person has the right to go

to the other arm of government to seek intervention – the Judiciary.

We do not see anywhere in the Constitution where it says when a Bill is proposed, judges can go to Parliament to explain the consequences of that law.

Our question is simple, if the judges told parliament that there is nothing wrong with the proposals contained in Bill 10, how would they have U-turned during hearing for the

Bill 10 dispute and rule against it?

Did the judges listen objectively to the arguments filed before their court, which disagree with their parliamentary submission?

We are not lawyers, but we were able to see this huge problem from a distance. One just had to use common sense; bias is not always about evidence; perception is enough to show that it exists. What we are seeing here is that our judges created a very dangerous perception

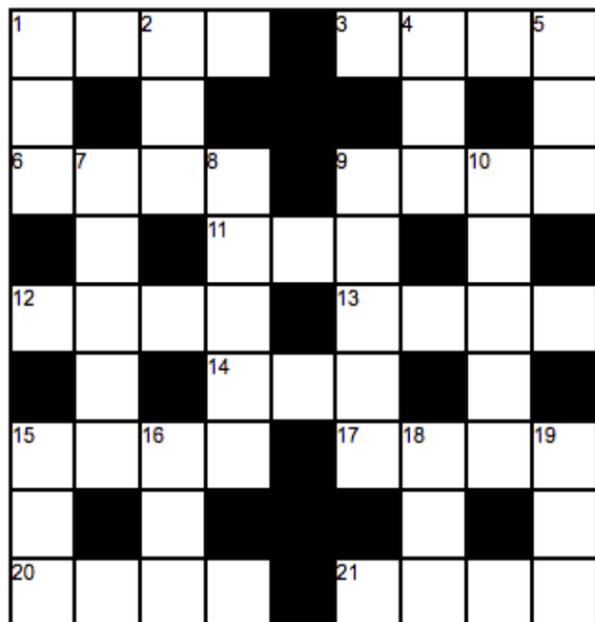
of bias, which has only succeeded in making the whole Bill 10 debacle a complete mess.

Yes, Parliament has powers to create laws but it exercised its powers wrongly because this Bill 10 will completely alter the complexion of the entire Constitution.

The only institution that could resolve this mess was the Judiciary, but unfortunately, the Judiciary surrendered itself to one party that was dragged to court, leaving the aggrieved party in a disadvantaged position.

We repeat, this is how nations fall; it starts with a small group of greedy people who don't want to see an end to their rule, and as time goes by, the whole system gets coerced into the greedy agenda.

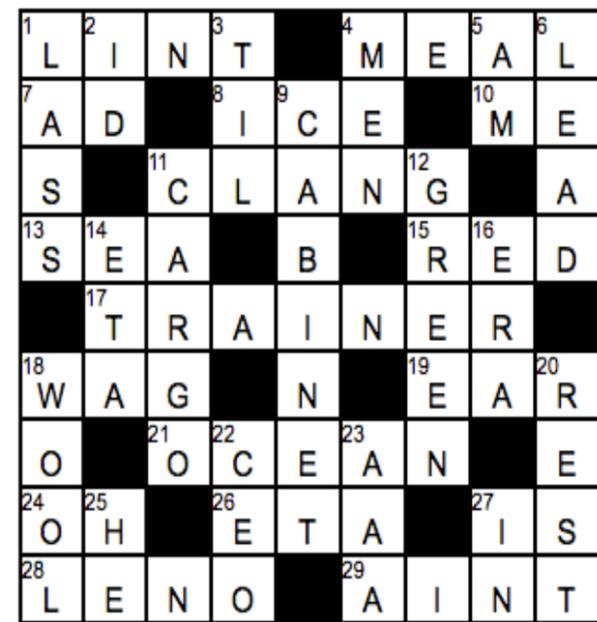
Crossword Puzzle 471



“Courage is the most important of all the virtues, because without courage you can't practice any other virtue consistently”
- Maya Angelou

- | Across | Down |
|-----------------------------|------------------------------|
| 1. Locale | 1. Long sandwich |
| 3. Soup containers | 2. Casual top |
| 6. Nectar gatherers | 4. ___ Baba |
| 9. Fries or slaw | 5. Observe |
| 11. Household pest | 7. Concluded |
| 12. Belonging to Ida | 8. Cheeky |
| 13. ___ of Evil | 9. Don't sit |
| 14. Morning riser | 10. Tee off |
| 15. Lazily | 15. "If ___ said it once..." |
| 17. Buck or doe | 16. ___ Angeles |
| 20. Sunrise direction | 18. New Year's ___ |
| 21. You do this with a book | 19. Scarlet or Maroon |

Solutions to puzzle 470



Readers' Feedback

Russia's cancellation of Zambia's presidential superjet

Editor,

"Honestly speaking, lungu is evil! So, he wants another presidential jet? This laughable!" - Adams Kambila

"Zambia DOES NOT NEED, let alone afford, to own and operate two VIP executive jet planes. Especially not when the country has an electric power deficit to run industrial, commercial, agricultural, domestic and other social and health infrastructure. Even the one Gulfstream 650 ER ought to be traded in for a less costly, but reliable plane from which the savings can be channelled towards Eskon power imports." - David M. Mwanganombe

"Sometimes, I run short of words. We cannot afford to be splashing money like that, while citizens are waiting for their worked-for retirement benefits for years. Is this the pro-poor government we knew to be? This is annoying, day in day out, we hear of scandals here and there." - Frederick Chinyema Chiteta

"Really? Still continuing to spend lavishly when the economy is folding? This chap has really taken Zambians for big, long ride." - Munacho Shimapengo

"The high office has become a liability. Why does he want another plane in addition to the Gulfstream and the Presidential challenger, ZAF plane and helicopters?" - David Kaluba

Zesco's sustained 15-hr load shedding schedule expected

Editor,

"I expected this. Reasons 1. We don't have engineers. 2. Ukulya mwibala. 3. Lack of seriousness to commitment in serious national matters. 4. We don't have priorities. In my opinion, the purchase of fire tenders could have waited, the upgrade of KKIA could have waited, before electricity issue is sorted out. The way Zesco is treating us can make the economy collapse! I can assure you, this baby of ours (Zesco) will never grow if he/she is not given a competitor." - Munachikube Golden

"Zesco's management have failed to run the company! So, Dangote and Nava Barat of Maamba are wiser than all Zesco's engineers??" - Chanda Ch

"We are suffering! And the people can't even resign for failure to perform and solve the electricity problem." - Bright Kasakula Kasakula

"Political cadres are running Zesco from top to bottom! Incompetence and corruption to the core! Nothing good will come out of this utility during the reign of this visionless, incompetent leadership in government!" - Donald Oscar Phiri

"This cat and mouse game is actually destroying the economy. Better we face up to the problems directly, and begin to apply ourselves to solutions, than presenting smoke screens. Every value-add product that ZRA collects tax on requires electricity. Why are we treating this crisis like a playground game of musical chairs?" - Marcus Achiume

"It's time we revolutionize our way of life as Zambians. Depending on these fools from Zesco for power is likely to make our lives hard. Let every roof have solar panels and you will see how Zesco will be shaken!" - Festus Simpemba

'Govt's failure to catch 'big fish' in corruption shows senior govt leaders are culpable!

Editor,

"Almost all senior government officials are culprits of corruption, how can they fight it?" - Mathews W Ks

"It can only be that the big fish in charge is involved! How and what else can stop criminal investigative agencies from following up and catching the big fish?" - Donald Oscar Phiri

"It is so hard to do! It is like trying to cut off your own head! But when you are not in it, it should be as easy as having a hair cut or cutting your nails. That is stopping corruption!" - Kanyata Mubita

"It's because there's a web of corruption at play here. Everyone knows what everyone else is doing and so can't blow the whistle on the others." - Kevin Pumulo
 "One can only act against wrong dealings if he or she is not part of the system because he or she has nothing to lose!" - Kennedy Mulenga



'Kudos to Barclays Bank Zambia for scooping 2019 best corporate bank prize!

Editor,

"Not surprised, they have some of the best and flexible services, especially mobile and online banking. Congratulations!" - Patrick Lufunda

"She's just wonderful

and does her job right. Congratulations, Barclays. Congratulations, madam Mizinga Melu!" - Mayamba Sitali

"Congratulations Barclays Bank and CEO Mizinga Melu for that recognition." - Grace Shankaya

EDITOR'S NOTE:

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.

Pentagon releases first images from raid that killed ISIS leader

The Pentagon released newly declassified video and images Wednesday of the daring, two hour raid targeting ISIS leader Abu Bakr al-Baghdadi that shows US forces taking small arms fire from multiple locations as their helicopters approached the compound. Video from an overhead drone also shows the commandos approaching Baghdad's compound and aerial strikes carried out by US F-15 fighter jets and MQ-9 Reaper Drones to blow up the site once it was cleared.

The commander of US Central Command, Gen. Frank McKenzie, said the DNA used to confirm Baghdad's identity was from samples collected during his previous detention at Camp Bucca in Iraq.

McKenzie told reporters that he could not confirm that Baghdad was "whimpering and crying" in his final moments as President Donald Trump claimed in his televised address on Sunday.

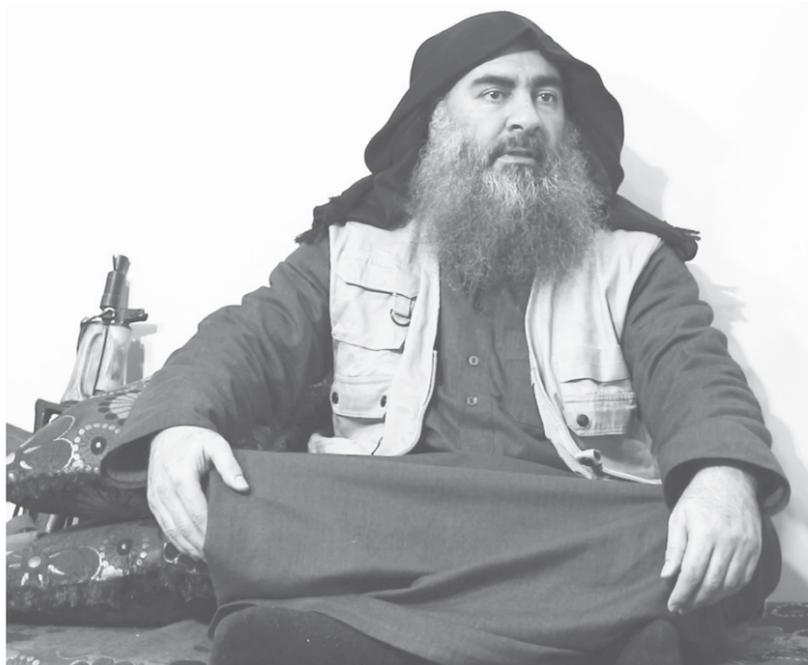
However, McKenzie added the terror leader "crawled into a hole with two small children and blew himself up while his people stayed on the ground. So you can deduce what type of person that is based on that activity."

McKenzie also revealed that Baghdadi may have shot at US forces from the hole.

While Trump and other military officials initially believed Baghdadi had killed three children after detonating his suicide vest in a tunnel, McKenzie said updated information had revealed that only two children had been with him, with both of them being assessed to be under 12 years old.

He did reveal that special

operations forces that carried out the raid were pre-staged in Syria, news that comes after Trump ordered most US troops to be removed from the country. McKenzie said the US forces withdrawal from Syria was not a "limiting factor" in the raid, and that it had nothing to do with the timing, which was determined "given the totality of the intelligence ... and the other factors that would affect the raid force going in and coming out." *CNN*



Abu Bakr al-Baghdadi



Fiat Chrysler and PSA Peugeot boards approve merger to create world's No.4 carmaker

PSA and Fiat Chrysler unveiled Thursday a plan for a 50-50 merger of their operations to create the world's fourth-largest car manufacturer that would generate billions in savings without factory closures.

In a joint statement the French and US-Italian carmakers said their boards of directors "have each unanimously agreed to work towards a full combination of their respective businesses by way of a 50/50 merger".

It would be achieved via the creation of a parent company in the Netherlands in which the shareholders of each current group would own half.

The merged company would have combined sales of nearly 170-billion euros per year and 11-billion euros of operating profits, the carmakers said.

The Dutch-based parent company would have balanced representation and a majority of independent directors with FCA's John Elkann as chairman and PSA's Carlos Tavares as CEO and member of the board.

The boards of both carmakers "both share the conviction that there is compelling logic for a bold and decisive move that would create an industry leader with the scale, capabilities and resources to capture successfully the opportunities and manage effectively the challenges of the new era in mobility," said the statement.

FRANCE24

At least 65 killed in Pakistan train fire

At least 65 people were killed and dozens injured after cooking gas cylinders exploded on a train packed with pilgrims in Pakistan on Thursday, some dying after leaping from carriages to escape the inferno, authorities said.

Television footage showed flames pouring out of three carriages as people could be heard crying during the incident, in a rural area of central Punjab province.

Some of the passengers -- many of whom were pilgrims travelling to one of Pakistan's biggest annual religious gatherings -- had been cooking breakfast when two of their gas cylinders exploded, Ali Nawaz, a senior Pakistan Railways official, told AFP. Many Pakistanis carry food on long train journeys, but gas cylinders are banned, and Nawaz said an inquiry had been ordered.

Dozens of people crowded along the tracks staring at the burning carriages, which had been disconnected from the



Some of the passengers -- many of whom were religious pilgrims travelling to a congregation in the eastern city of Lahore -- had been cooking breakfast when two of their gas cylinders exploded, officials said

rest of the train, television images showed.

Firefighters later rushed to the scene near Rahim Yar Khan district, extinguishing the blaze. Rescue workers and the army could also be seen, as bodies were carried away covered in white sheets. "According to information reaching us from the site of the accident, more than 65 people were killed and over 40 injured," provincial health minister Yasmin Rashid told AFP.

Muhammad Nadeem Zia told AFP that some of the dead were killed by head

injuries sustained as they leapt from the moving train.

The wounded were being rushed to hospitals in the nearby city of Bahawalpur and elsewhere in Rahim Yar Khan district. Officials said many of the bodies were charred beyond recognition.

"Deeply saddened by the terrible tragedy... My condolences go to the victim's families & prayers for the speedy recovery of the injured," tweeted Prime Minister Imran Khan.

"I have ordered an immediate inquiry to be completed on an urgent basis." *AFP*

Trump impeachment: House to vote on how inquiry should proceed

The US House of Representatives is set to vote on how the impeachment inquiry into President Donald Trump should proceed.

The resolution to be voted on sets out a more public phase of the process and is not a ballot on whether or not to impeach the president.

The measure also sets out the rights Mr Trump's lawyers would have.

This will be the first formal test of support for the inquiry in the Democratic-controlled House.

President Trump is accused of trying to pressure Ukraine into investigating unsubstantiated corruption claims against his political rival, Joe Biden, and his son who worked with Ukrainian gas company Burisma.

Mr Trump denies wrongdoing and calls the impeachment inquiry a "witch hunt".

Republicans have criticised Democrats for the closed hearings up to this point, in which Republican lawmakers have also taken part. But Democrats insist they were needed to gather evidence ahead of the

public stage of the inquiry, and deny allegations they have been secretive.

The debate is expected to start at 09:00 (13:00 GMT). Democrats, who have 234 of the 435 seats in the House, need a simple majority to approve the resolution.

Earlier this week, Democrats in the House released an eight-page document setting out a two-stage process for the next phase of the inquiry.

In the first stage, the House Intelligence Committee would continue its investigations and hold public hearings. It would have the right to make public transcripts of depositions taken in private.

In the second stage, a public report on the findings would be sent to the House Judiciary Committee which would conduct its own proceedings and report on "such resolutions, articles of impeachment, or other recommendations as it deems proper".

President Trump's lawyers would be allowed to take part in the Judiciary Committee stage. Republicans on the committees would be able

to subpoena documents or witnesses although they could still be blocked as both committees are controlled by Democrats.

Democrats are planning public hearings to be held in coming weeks and are considering the possibility of drafting articles of impeachment against the president.

At the heart of the impeachment inquiry, which was announced by House Speaker Nancy Pelosi last month, is a phone call on 25 July between Mr Trump and Ukrainian President Volodymyr Zelensky.

A rough transcript of the call shows Mr Trump asking Mr Zelensky to investigate unsubstantiated corruption claims against Joe Biden, a leading Democratic candidate to challenge Mr Trump for the White House next year, and his son, Hunter.

The Trump-Zelensky phone call was the subject of a complaint by a whistleblower, whose identity has been closely protected by lawmakers. On Wednesday, a conservative author named a CIA officer as the whistleblower. *BBC*

By Mazuba Muleya
 Vehicle Centre under its Motul brand has pumped a total of K53, 000 towards the hosting of the final round National Rally Championship this weekend.

Vehicle Centre beefs up National Rally Championship with K53,000

The event dubbed Motul Rally has attracted 19 drivers including South African Guy Boteril. Lusaka Motor Sport

Club (LMSC) chairman Michael Daka said during a press briefing in Lusaka yesterday that the total budget for the

event is K108, 000 and the organisers have so far raised K103, 000.

“We are only short of a K5, 000 otherwise we are 95 percent done with the budget,” he said.

As main sponsors, Motul has pumped K30, 000 cash and provided a vehicle for mapping as well as fuel for the

officials.

Other sponsors include Cyber Guard that has pumped in K20, 000, L&J Fire Services with K12, 500, Pembe Milling with K10, 000 and Big Tree Beverages with K7, 000 among others.

Defending champion Muna Singh junior is

part of the 19 drivers that have confirmed participation in final event of the 2019 calendar.

Muna co-drives with Sajid Khan in a Subaru Impreza.

Ndola-based driver Leroy Gomes who is currently leading the 2019 national rally table

with 177 points will be up to seal his title chase.

Gomes who recently acquired a Ford Fiesta is navigated by his wife Urshilla.

Other top drivers on the list include former African champions Mohammed Essa and Jassy Singh among others.

Nkwazi sacks Kaunda

By Abraham Kalito and Mazuba Muleya

Nkwazi coach Chris Kaunda has been fired following a string of poor results.

Kaunda has been replaced by his assistant Dennis Makinka who has assumed the role of caretaker coach with immediate effect and will be assisted by Keagan Phiri.

“Nkwazi Football Club part company with Coach Chris Kaunda following a six game winless run. Assistant Coach Dennis Makinka takes up the head coach position in the Interim”, confirmend the club’s media team yesterday.

According to a club official, Kaunda has been relieved to save the club which has been recording poor results in recent games from sinking further.

“We cannot afford to see the club sink. Our expectations are very high and we decided to relieve Kaunda to save the club. We have players to do the job,” the official said.

Makinka has been given a target to revive the team with the first task being the next game against Kansanshi Dynamos.

Nkwazi will host Kansanshi in a week nine match at Edwin Imboela Stadium tomorrow.

Nkwazi’s recent record includes two defeats and three barren draws.

They recently lost to Napsa Stars and Green Buffaloes; drew against Mfulira Wanderers, Lumwana Radiants and Power Dynamos.

Nkwazi were also held to a 1-all draw by Nakambala Leopards while their last victory was a 3-1 win over Zanaco on September 21 at Nkoloma Stadium in Lusaka.

In response to a press query on the development, Kaunda also confirmed his sacking: “It’s very true. Am a child of God the all mighty. I’ve accepted with no regrets. God’s time is the best my dear brother. Psalms 91. Only our lord our God will tell the whole story and I’ve wished the new technical bench, the executive, the players, the sports directorate, my fellow officers the best of luck and no ill feelings. It’s all about total loyalty to my employers and the Command.”

When asked if he would consider coaching the police run club again, Kaunda said his doors were open should the club require his services in the future: “Off course, if they need my services in the near future, am an open page”

The Zambia Police-sponsored side is 12th on the Super Division table with 10 points from eight games.

Govt pledges to sponsor U23 team

By Mazuba Muleya

Without stating whether they will fully approve the K9 million budget the Football Association of Zambia (FAZ) submitted, Government has agreed to bear the costs for the under-23 national team’s outing to Egypt.

Ministry of Sport permanent secretary Joel Kapembwa revealed in Lusaka yesterday that the state will pay for the travel costs, accommodation and allowances for the under-23 national team at the Africa Cup of Nations finals in Egypt.

Kapembwa, however could not disclose

the actual amount government will spend on the team.

“FAZ submitted the budget to the Ministry. We will provide travel expenses, accommodation and allowances for the team,” he said.

The team is expected to leave for Egypt tomorrow.

And Kapembwa urged the team to work hard and make the country proud saying Zambians are expectant.

Meanwhile, the Austria-based duo of Patson Daka and Enock Mwepu will miss Zambia’s first match against South Africa

due to club commitments.

Zambia will open the Africa Cup campaign on November 9.

Belgium-based striker Fashion Sakala will also miss the opening match because of his suspension.

The trio is expected to join the team in Egypt on November 10.

Zambia is in group B with South Africa, Nigeria and Ivory Coast while group A consists hosts Egypt, Mali, Ghana and Cameroon.

The top three teams will qualify to the Tokyo 2020 Olympics.

Harden explodes for 59 points

James Harden made the winning free throw with two seconds left, capping a 59-point performance as the Houston Rockets outgunned the Washington Wizards 159-158 on Wednesday. Harden shot 18-of-32 from the field, made all but one of his 18 free throws, and drained six three pointers as the Rockets overcame a 46-point night from Bradley Beal.

“I work hard every single day. I fall in love with it, mastering the game,” Harden said. “You can’t expect to be great if you don’t put the work in.

“You might be doing everything right and things don’t always work out your way. You got to keep pushing.”

Russell Westbrook overcame a slow start to finish with his second triple double of the season with 17 points, 12 assists

and 10 rebounds. Clint Capela tallied 21 for the Rockets, who improved to 3-1 on the season.

Beal tied the contest 158-158 with eight seconds remaining by making his free throws, but the Wizards couldn’t tack on any more and dropped to 1-3 on the season.

Rui Hachimura, the highest drafted Japanese-born player in NBA history, scored 23 points and Davis Bertans had 21.

Japan’s ambassador to the United States, Shinsuke Sugiyama, attended the game to watch Hachimura, who was selected ninth overall by the Wizards in the 2019 entry draft.

This season marks a reunion of sorts for Westbrook and Harden. They spent three seasons together with Oklahoma City until Harden left in 2012 to join the Rockets. **AFP**

TRAVEL WITH POWER TOOLS & ZAMBIA MALAWI BUSES ON TIME

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Left: Manchester United's Marcus Rashford fires home a 'Ronaldo like' freekick to eliminate Chelsea from the Carabao Cup at Stamford Bridge on Wednesday. Right: Philadelphia's Joel Embiid (l) scored 19 points before being ejected due to a dustup with Minnesota's Karl-Anthony Towns in a NBA game at the Wells Fargo Center. The Sixers won the contest 117-95 as Embiid and Towns were both thrown out.

By Mazuba Muleya and Abraham Kalito

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NKWAZI FIRES CHRIS KAUNDA

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with the first task being the next game against Kansanshi Dynamos. **To page 11**



Liverpool manager Jurgen Klopp congratulates Curtis Jones after scoring the winning penalty against Arsenal on Wednesday

Klopp threatens Liverpool League Cup pull-out over fixture pile-up

Jurgen Klopp has warned Liverpool could pull out of the League Cup if the English Football League do not help with their hectic fixture schedule.

Klopp's side moved into the quarter-finals after an incredible 5-5 draw against Arsenal and 5-4 penalty shoot-out victory at Anfield on Wednesday.

Liverpool trailed 3-1, 4-2 and then 5-4 in the final seconds before Divock Origi's equaliser forced a shoot-out that was won by locally born teenager Curtis Jones.

It was a superb advert for the tournament, but Liverpool might not be appearing in the League Cup again this season unless Klopp's fears over a fixture pile-up are soothed.

Match dates for the quarter-finals are scheduled for the week commencing December 16, when

Liverpool will be in Qatar at the FIFA Club World Cup.

And Reds boss Klopp said if a suitable alternative, the most likely being the week commencing January 6, the scheduled date for the first leg of the semi-final, is not found then they would refuse to play.

"FIFA told us the Club World Cup will be there (Qatar) and we have to come there and we will do," Klopp told reporters.

"The Premier League tells us we have to play in the Premier League, which we do obviously. "The Carabao (League) Cup, if they don't find an appropriate place for us - not 3am on Christmas Day - then we don't play it.

"If you have a fixture list where one team cannot be part of all the games, then you have to think about the fixture list. **AFP**

