

THE NATIONAL COUNCIL FOR CONSTRUCTION ACT, 2020

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY PROVISIONS

Section

1. Short title and commencement
2. Interpretation
3. Principles governing regulation of construction industry

PART II

THE NATIONAL COUNCIL FOR CONSTRUCTION

4. Continuation of National Council for Construction
5. Functions of Council
6. Provision of standards for construction
7. Board of Council
8. Functions of Board
9. Executive Director and other staff

PART III

REGULATION OF CONTRACTORS AND CONSTRUCTION INDUSTRY

Registration of Contractors

10. Prohibition from carrying on business as contractor without registration
11. Application for registration as contractor
12. Registration of contractors
13. Grant of temporary certificate of registration to contractor
14. Grading and classification of contractors
15. Renewal of certification of registration and annual fee
16. Changes in detail of contractor
17. Suspension and cancellation of registration
18. Re-registration
19. Best practice contractor recognition scheme

Registration of Manufacturers and Suppliers

20. Monitoring compliance with standards for construction materials by manufacturers or suppliers
21. Application for registration as manufacturer or supplier of construction material
22. Registration of manufacturer or supplier of construction material
23. Prohibition of manufacture, supply or sale of substandard construction materials, e.t.c
24. Change in details of manufacturer or supplier
25. Regulations for registration of manufacturer or supplier

Certificates in General

26. Deemed grant of application
27. Prohibition of transfer of certificate of registration
28. Duplicate certificate of registration
29. Certificate of status
30. Surrender of certificate of registration as contractor, manufacturer or supplier

Registration of Construction Projects

31. Registration of construction projects
32. Best practice project assessment scheme

Registers

33. Registers
34. Publication of copies of register

Registration of National Construction School

35. Registration of National Construction School

PART IV

INSPECTIONS

36. Inspectors

- 37. Additional powers of inspector
- 38. Report by inspector

PART V

CAPACITY DEVELOPMENT MEASURES AND TECHNICAL COMPLIANCE

- 39. Bidding documents for procurement of construction works
- 40. Prohibition of unregistered contractor bidding for construction works
- 41. Technical specifications, etc
- 42. Citizen participation in construction works
- 43. Joint ventures with citizens
- 44. Subcontracting to small or medium scale registered contractor

PART VI

COMPLAINTS AND APPEALS PROCESS

- 45. Reasons for decisions and right to be heard
- 46. Appointment and convening of appeals tribunal
- 47. Powers of appeals tribunal
- 48. Decisions of tribunal
- 49. Tribunal rules

PART VII

GENERAL PROVISIONS

- 50. Appeals
- 51. Code of conduct and ethics for construction industry
- 52. Guidelines and practice codes
- 53. Monitoring and evaluation of projects, and programming for regulatory activities
- 54. Capacity building and professional development
- 55. Research and development
- 56. Information management and dissemination
- 57. Offences relating to registered contractor, manufacturer or supplier of construction material
- 58. General offences
- 59. Offences committed partly in and partly out of Republic

60. Power of Council to compound certain offences
61. Administrative penalties
62. Offence by principal officer, shareholder or partner of body corporate or unincorporate body
63. Regulations
64. Repeal of Act No. 13 of 2003

SCHEDULES

GOVERNMENT OF ZAMBIA

ACT

No. 10 of 2020

Date of Assent: 26th November, 2020

An Act to provide for the promotion, development and regulation of the construction industry so as to promote economic growth and competitiveness and create sustainable employment; continue the existence of the National Council for Construction and provide for its functions; enhance contractor capacity development and technical compliance in the construction industry; collaborate with professional bodies engaged in activities in the construction industry; continue the existence of the Construction School and rename it as the National Construction School; provide for a complaints and appeals procedure; repeal the National Council for Construction Act, 2003; and provide for matters connected with, or incidental to, the foregoing.

[26th November, 2020

ENACTED by the Parliament of Zambia.

Enactment

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the National Council for Construction Act, 2020, and shall come into operation on the date appointed by the Minister by statutory instrument.

Short title and commencement

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

Interpretation

“ appropriate authority ” includes a Minister, public body, statutory body or person, who exercises a power or regulatory function under any written law, impacting on, or relating to, socio economic policies, construction, buildings, roads, urban and regional planning, surveys,