

THE PASSPORT ACT, 2016

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GOVERNMENT OF ZAMBIA

ACT

No. 28 of 2016

Date of Assent: 6th June, 2016

An Act to provide for the vesting of powers and duties for the issuance of, and control over, passports and travel documents; provide for the issuance of passports and travel documents; provide for the recognition of Interpol travel documents; repeal and replace the Passports Act, 2003; and provide for matters connected with, or incidental to, the foregoing.

[7th June, 2016

ENACTED by the Parliament of Zambia.

Enactment

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the Passports Act, 2016. Short title
2. In this Act, unless the context otherwise requires— Interpretation
 - “ Chief Passports and Citizenship Officer ” means the person appointed as Chief Passports and Citizenship Officer under section *three*;
 - “ child ” has the meaning assigned to it in the Constitution; Cap. 1
 - “ citizen ” has the meaning assigned to it in the Constitution; Cap. 1
 - “ diplomat ” means a person appointed by a State to represent the State in an official capacity in a foreign State;
 - “ diplomatic passport ” means a passport issued to a person to enable the person to travel internationally on official State business;
 - “ function ” includes powers and duties;

“ Interpol ” means the International Criminal Police Organisation established in 1923 and whose headquarters are in Lyon, France;

“ Interpol travel document ” means the travel document issued by Interpol to law enforcement officers travelling and performing duties on behalf of Interpol;

“ law enforcement officer ” means—

- (a) a police officer of or above the rank of inspector;
- (b) an officer of the Anti-Corruption Commission;
- (c) an officer of the Drug Enforcement Commission;
- (d) an officer of the Zambia Security Intelligence Service;
- (e) an officer performing duties on behalf of Interpol; and
- (f) any other person appointed as such by the Minister for the purposes of this Act;

“ passport ” means an official document issued by a government, certifying the holder’s identity and citizenship and entitling the holder to travel under its protection to and from a foreign country;

“ passport officer ” means a person appointed as a passport officer under the Citizenship of Zambia Act, 2016;

“ Republic ” has the meaning assigned to it in the Constitution;

“ Stateless person ” means a person who is not considered as a national by any State under the operation of its law;

“ travel document ” means a temporary official document, other than a passport, issued by a government or international organisation to facilitate the movement of a person across an international boundary; and

“ Zambian Mission ” means a high commission, embassy or consular office of the the Republic, and includes such other offices as the President may declare pursuant to the Constitution.

Act No. 33
of 2016

Cap. 1

Cap. 1

PART II

ADMINISTRATION

3. (1) The Chief Passports and Citizenship Officer, Deputy Chief Passports and Citizenship Officer, passport officers and other staff appointed under the Citizenship of Zambia Act, 2016, shall be responsible for the administration of this Act.

Chief Passports and Citizenship Officer, passport officers and other staff Act No. 33 of 2016

(2) The functions of the Chief Passports and Citizenship Officer are to—

- (a) issue passports, diplomatic passports and other travel documents; and
- (b) perform such other functions as may be necessary or required for purposes of this Act.

(3) The Chief Passports and Citizenship Officer may, subject to the other provisions of this Act, on such terms and conditions as the Chief Passports and Citizenship Officer may determine, delegate any function of the Chief Passports and Citizenship Officer to the Deputy Chief Passports and Citizenship Officer or a passport officer.

4. An action or other proceeding shall not lie or be instituted against the Chief Passports and Citizenship Officer, a passport officer or other staff for, or in respect of, an act or thing done or omitted to be done in good faith in the exercise or performance of any of the functions conferred under this Act.

Immunity

PART III

PASSPORT, DIPLOMATIC PASSPORTS AND TRAVEL DOCUMENTS

5. (1) A citizen is, subject to the Constitution and this Act, entitled to be issued with a passport or travel document to facilitate international travel.

Persons entitled to passports, diplomatic passports and travel documents Cap. 1

(2) A citizen may lawfully hold a passport and a diplomatic passport.

(3) A passport, diplomatic passport or travel document issued under this Act is the property of the Government.

(4) Despite subsection (3), a passport, diplomatic passport or travel document issued under this Act shall remain under the control of its holder until lawfully withdrawn, cancelled or confiscated.

6. (1) The Chief Passports and Citizenship Officer may issue—

Types of passports and travel documents

- (a) a passport;
- (b) a diplomatic passport; and