

GOVERNMENT OF ZAMBIA

ACT

No. 24 of 2007

Date of Assent: 29th November, 2007

ENTITLED

An Act to provide for the establishment of the Zambia Tourism Board and define its functions; to provide for the promotion and marketing of Zambia as a tourist destination within and outside Zambia; and to provide for matters connected with or incidental to the foregoing.

[30th November, 2007

ENACTED by the Parliament of Zambia.

Enactment

PART I

PRELIMINARY

1. This Act may be cited as the Zambia Tourism Board Act, 2007, and shall come into operation on such date as the Minister may, by statutory instrument, appoint.

Short title and commencement

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

Interpretation

“appointed date” means the date appointed by the Minister under section *one*;

“Board” means the Zambia Tourism Board established by section *three*;

“Chairperson” means the person appointed as Chairperson of the Board under section *five*;

“former Board” means the Zambia National Tourist Board established under the Tourism Act;

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“hotel” shall have the meaning assigned to it by the Tourism and Hospitality Act, 2007;

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“ member means a member of the Board and includes the Chairperson and Vice Chairperson;

“ Secretary ” means the person appointed as Secretary to the Board under section *nine*;

“ Tourism Council of Zambia ” means the Tourism Council of Zambia registered under the Societies Act; and

“ Vice-Chairperson ” means the person appointed as Vice Chairperson of the Board under section *five*.

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PART II

THE ZAMBIA TOURISM BOARD

3. There is hereby established the Zambia Tourism Board which shall be a body corporate with perpetual succession and a common seal, capable of suing and of being sued in its corporate name, and with power, subject to the provisions of this Act, to do all such acts and things as a body corporate may, by law, do or perform.

Establishment
of Board

4. (1) It shall be the general duty of the Board to promote such measures as may be necessary to achieve the maximum publicity of Zambia’s tourist attractions, locally and internationally.

Functions of
Board

(2) Without prejudice to the generality of the provisions of subsection (1), the Board shall —

- (a) promote Zambia as a tourist destination;
- (b) design and implement suitable marketing strategies for the promotion of the tourism industry;
- (c) formulate and implement measures designed to enhance the profile and image of Zambia as a preferred tourist destination;
- (d) provide information services for tourists and to that effect may establish and operate tourist information offices;
- (e) collect, evaluate and disseminate information regarding—
 - (i) tourism markets and market potential;
 - (ii) trends in tourist activities, expectations and needs; and
 - (iii) competing tourism markets;
- (f) conduct research into local and international tourism markets;

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(g) provide tourists with travel services and with information on —

(i) accommodation;

(ii) tourism destinations and facilities within Zambia; and

(iii) tourist attractions and services available to tourists in Zambia;

(h) subject to the approval of the Minister, negotiate and enter into agreements or arrangements relating to tourism marketing and promotion or any other matter that will enhance tourist traffic within and into Zambia;

(i) promote throughout Zambia awareness on the importance and benefits of tourism and, in so doing, use such media or other means as are available to create maximum awareness of Zambia's tourism attractions;

(j) carry out market research to ensure the appropriate positioning of Zambia's tourist attractions within the international and domestic markets; and

(k) do such other things as are necessary for the promotion of tourism and tourist welfare in Zambia.

(3) The Board shall have power, subject as herein provided, to do anything and to enter into any transaction which in its opinion is calculated to facilitate the discharge of its duties under this Act or which is incidental or conducive thereto.

(4) The Board shall, in the performance of its functions, have regard to the policies of the Government.

(5) The Minister may give such general or specific directions to the Board in relation to the performance of its functions and the Board shall comply with the direction.

5. (1) The Board shall consist of ten part-time members appointed by the Minister.

Composition
of Board

(2) The members appointed under subsection (1) shall be persons who have expertise in hotel management, marketing, broadcasting, wildlife management, and in the operations of the tourism industry and shall include —

(a) one representative of the Tourism Council of Zambia,

- (b) a representative of the Ministry responsible for tourism;
- (c) a representative of the Ministry responsible for finance;
- (d) a representative of the Immigration Department; and
- (e) a representative of the Attorney-General.

(3) The Minister shall appoint a Chairperson and Vice—
Chairperson from among the members referred to in subsection (2):

Provided that the Chairperson shall be appointed from among the members from the private sector.

(4) The Minister shall, insofar as is practicable, ensure that among the members of the Board there is an equitable balance between men and women.

(5) A person shall not be appointed as a member of the Board if the person—

- (a) is an undischarged bankrupt;
- (b) has been convicted of an offence involving fraud or dishonesty;
- (c) has been convicted of an offence under any written law and sentenced to a term of imprisonment of not less than six months, without the option of a fine; or
- (d) is of unsound mind.

Tenure of
office of
member

6. (1) Subject to the provisions of this Act, a member shall hold office for a period of three years from the date of appointment and may be re-appointed for a further period of three years.

(2) A member may resign upon giving one month's notice in writing to the Minister.

(3) The office of member shall become vacant—

- (a) if a member is an undischarged bankrupt;
- (b) upon the member's death;
- (c) if a member becomes mentally or physically incapable of performing the duties of a member of the Board;
- (d) if a member is convicted of an offence under any written law and sentenced to serve a term of imprisonment of not less than six months without the option of a fine;

- (e) on the member ceasing to be a representative of the organisation which nominated the member; or
- (f) if the member is absent, without reasonable excuse, from three consecutive meetings of the Board of which the member has had notice.

(4) On the expiration of the period for which a member is appointed, the member shall continue to hold office until the member's successor is appointed, but in no case shall the further period exceed three months.

7. Whenever the office of a member becomes vacant before the expiry of the term of office, the Minister may appoint another person to hold office for the unexpired part of the term from the same organisation as the member who vacates office, and such person shall be eligible for re-appointment.

Filling of
casual
vacancy

8. (1) The Board shall, with the approval of the Minister, appoint a Managing Director who shall be the chief executive officer of the Board and who shall, subject to the control and direction of the Board, be responsible for implementation of the decisions of the Board and the day to day administration of the Board.

Managing
Director

(2) The Board shall, with the approval of the Minister, determine the terms and conditions of service of the Managing Director.

(3) The Board may in writing delegate to the Managing Director such of its functions as it may consider necessary.

(4) The Managing Director shall attend meetings of the Board and any committee of the Board and may address the meetings, but shall have no vote.

9. (1) The Board shall appoint a Secretary on such terms and conditions as the Board may, with the approval of the Minister, determine.

Secretary and
other staff

(2) The Secretary shall, subject to the directions of the Managing Director, perform such duties as may be assigned to the Secretary.

(3) The Board may, appoint such other staff of the Board as it considers necessary for the performance of its functions under this Act, on such terms and conditions as it may, with the approval of the Minister determine.

10. (1) The seal of the Board shall be such device as may be determined by the Board and shall be kept by the Secretary.

Seal of
Board