

REPUBLIC OF ZAMBIA

**THE EVIDENCE (BANKERS' BOOKS) ACT**

**CHAPTER 44 OF THE LAWS OF ZAMBIA**

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THE EVIDENCE (BANKERS' BOOKS) ACT

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**CHAPTER 44**

EVIDENCE (BANKERS' BOOKS)

31 of 1964  
12 of 1980  
13 of 1994  
Government Notice  
497 of 1964

**An Act to amend the law of evidence with respect to bankers' books; and to provide for matters incidental thereto.**

[31st July, 1964]

1. This Act may be cited as the Evidence (Bankers' Books) Act. Short title

2. In this Act, unless the context otherwise requires- Interpretation

"bank" or "banker" means any person carrying on the business of banking in Zambia under the provisions of the Banking and Financial Services Act Cap. 387

"banker' book" includes ledgers, day books, cash books, account books and all other records used in the ordinary business of the bank, whether such records are in form or in microfilm, magnetic tape or any other form of mechanical or electronic data retrieval mechanism

(As amended by Act No. 12 of 1980)

"building society" means a building society incorporated in Zambia under the law for the time being in force relating to building societies;

"court" means the court, Judge, arbitrator or person or persons before whom a legal proceeding is held or taken;

"Judge" means a Judge of the Supreme Court or a Judge of the High Court;

"legal proceeding" means any civil or criminal proceeding or inquiry (including an arbitration) in which evidence is or may be given, in Zambia.

(As amended by Act No. 12 of 1980)

3. Subject to the provisions of this Act, a copy of any entry in a banker's book shall in all legal proceedings be received as *prima facie* evidence of such entry, and of the matters, transactions and accounts therein recorded. Mode of proof of entries in banker's books

4. (1) A copy of an entry in a banker's book shall not be received in evidence under this Act unless it be first proved that the book was at the time of the making of the entry one of the ordinary books of the bank, and that the entry was made in the usual and ordinary course of business, and that the book is in the custody or control of the bank. Proof that book is a banker's book