

**THE ELECTORAL PROCESS (AMENDMENT)
BILL, 2021**

MEMORANDUM

The object of this Bill is to amend the Electoral Process Act, 2016, so as to—

- (a) provide for voting by persons in prisons;
- (b) provide for distribution of campaign material in prisons by candidates in an election;
- (c) provide for access to prisons by monitors, observers and polling agents on election day;
- (d) provide access to the community to vote in polling stations established in prisons;
- (e) prohibit the announcement and declaration of results by unauthorised persons; and
- (f) provide for matters connected with, or incidental to, the foregoing.

A. MWANSA,
Solicitor-General

A BILL

ENTITLED

An Act to amend the Electoral Process Act, 2016.

ENACTED by the Parliament of Zambia

Enactment

1. This Act may be cited as the Electoral Process (Amendment) Act, 2021, and shall be read as one with the Electoral Process Act, 2016, in this Act referred to as the principal Act.

Short title

Act No. 35
of 2016

5 2. Section 2 of the principal Act is amended by the insertion of the following new definitions in the appropriate places in alphabetical order:

Amendment
of section 2

“prison officer” has the meaning assigned to the words in the Prisons Act;

Cap. 97

10 “inmate” has the meaning assigned to the word in the Prison Service Act;

Cap. 97

“legally disqualified” means the absence of legal capacity as provided in section 4 of the Mental Health Act, 2019;

Act No. of
2021

15 “officer-in-charge” has the meaning assigned to the words in the Prisons Act;

Cap. 97

“prison” has the meaning assigned to the words in the Prisons Act; and

Cap. 97

“State institution” has the meaning assigned to the words in the Constitution.

Cap. 1

20 3. The principal Act is amended by the repeal of section 9 and the substitution therefor of the following:

Repeal and
replacement
of section 9

N.A.B. 30, 2021