

**THE ZAMBIA INSTITUTE FOR TOURISM AND
HOSPITALITY STUDIES BILL, 2016**

MEMORANDUM

The objects of this Bill are to—

- (a) establish the Zambia Institute for Tourism and Hospitality Studies and provide for its functions;
- (b) constitute the Council of the Zambia Institute for Tourism and Hospitality Studies and provide for its functions;
- (c) provide for the development of human resource in the tourism sector through academic and professional development, skills training, research and consultancy; and
- (d) provide for matters connected with, or incidental to, the foregoing.

A. MWANSA,
Solicitor-General

N.A.B. 30, 2016
4th May, 2016

**THE ZAMBIA INSTITUTE FOR TOURISM AND
HOSPITALITY STUDIES BILL, 2016**

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SCHEDULE

N.A.B. 30, 2016

A BILL

ENTITLED

An Act to establish the Zambia Institute for Tourism and Hospitality Studies and provide for its functions; constitute the Council of the Zambia Institute for Tourism and Hospitality Studies and provide for its functions; provide for the development of human resource in the tourism sector through academic and professional development, skills training, research and consultancy; and provide for matters connected with, or incidental to, the foregoing.

ENACTED by the Parliament of Zambia

Enactment

PART I PRELIMINARY PROVISIONS

1. This Act may be cited as the Zambia Institute for Tourism and Hospitality Studies Act, 2016.

Short title

5 2. In this Act, unless the context otherwise requires—
“associate”, in relation to a person, means—

Interpretation

- (a) a person who is a nominee or an employee of that person;
- (b) a person who manages the affairs of that person;
- 10 (c) a former spouse or conjugal partner of that person;
- (d) a firm of which that person, or that person's nominee, is a partner or a person in charge or in control of its business or affairs;

N.A.B. 30, 2016

(e) a company in which that person or that person's nominee, is a director or is in charge or in control of its business or affairs, or in which that person, alone or together with that person's nominee, holds a controlling interest or shares amounting to more than thirty percent of the total share capital; or 5

(f) the trustee of a trust, where—

(i) the trust has been created by that person; or

(ii) the total value of the assets contributed by that person before or after the creation of the trust, amounts, at any time, to not less than twenty percent of the total value of the assets of the trust; 10

“Chairperson” means the person appointed Chairperson of the Council under section *six*; 15

“committee” means a committee established under section *ten*;

“Council” means the Council of the Institute established under section *six*;

“Director” means the person appointed Director of the Institute under section *twelve*; 20

Cap. 1

“emoluments” has the meaning assigned to it in the Constitution; 25

Cap. 1

“Emoluments Commission” means the Emoluments Commission established under the Constitution; 25

Act No. 4 of
2013

“higher education institution” has the meaning assigned to it in the Higher Education Act, 2013;

Cap. 186

“Hotel and Tourism Training Institute” means the Hotel and Tourism Training Institute incorporated under the Land (Perpetual Succession) Act; 30

“Institute” means the Zambia Institute for Tourism and Hospitality Studies established under section *three*;

“member” means a person appointed as a member of the Council under section *six*;

“relative” means— 35

(a) a person's son, daughter, brother, sister, nephew, niece, parent, uncle, aunt, grandparent or cousin; and

(b) a person's spouse or the spouse of any of the persons mentioned in paragraph (a);

"Secretary" means the person appointed as such under section *twelve*;

5 "tourism" has the meaning assigned to it in the Tourism and Hospitality Act, 2015;

Act No. 13
of 2015

"Vice-Chairperson" means the person appointed Vice-Chairperson of the Council under section *six*; and

10 "Zambia Qualifications Authority" means the Zambia Qualifications Authority established under the Zambia Qualifications Authority Act, 2011.

Act No. 13
of 2011

PART II

THE ZAMBIA INSTITUTE FOR TOURISM AND HOSPITALITY STUDIES

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

Establishment
of Zambia
Institute for
Tourism and
Hospitality
Studies

4. (1) The seal of the Institute shall be such device as may be determined by the Council and shall be kept by the Director.

Seal of
Institute

(2) The affixing of the seal shall be authenticated by the Chairperson or the Vice-Chairperson and the Director or one other
25 person authorised in that behalf by a resolution of the Council.

(3) A contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal, may be entered into or executed without seal on behalf of the Institute by the Director or any other person generally
30 or specifically authorised by the Council in that behalf.

(4) A document purporting to be a document under the seal of the Institute or issued on behalf of the Institute shall be received in evidence and shall be considered to be so executed or issued, as the case may be, without further proof, unless the contrary is
35 proved.

N.A.B. 30, 2016

