

GOVERNMENT OF ZAMBIA

ACT

No. 4 of 2018

Date of Assent: 9th April, 2018

An Act to amend the Subordinate Courts Act.

[11th April, 2018

ENACTED by the Parliament of Zambia

Enactment

1. This Act may be cited as the Subordinate Courts (Amendment) Act, 2018 and shall be read as one with the Subordinate Courts Act, in this Act referred to as the principal Act.

Short title

Cap. 28

2. Section 3 of the principal Act is amended by the deletion of paragraph (a) and substitution therefor of the following:

Amendment
of Section 3

(a) a Subordinate Court of the first class to be presided over by a chief resident magistrate, principal resident magistrate, senior resident magistrate, resident magistrate or a magistrate of the first class.

3. Section 20 (1) of the principal Act is amended by the deletion of—

Amendment
of Section 20

(a) paragraph (a) and the substitution therefor of the following:

(a) in all personal suits, whether arising from contract, tort, or from both, where the value of the property, debt or damage claimed, whether as balance of accounts or otherwise is, where the court is presided over by a—

(i) chief resident magistrate, not more than one hundred thousand kwacha;

(ii) principal resident magistrate not more than ninety thousand kwacha;

- (iii) senior resident magistrate, not more than seventy thousand kwacha;
 - (iv) resident magistrate not more than fifty thousand kwacha; and
 - (v) magistrate of the first class, not more than thirty thousand kwacha;; and
- (b) paragraph (c) and the substitution therefor of the following:
- (c) to hear and determine any action for the recovery for land where—
 - (i) the value of the land in question is two hundred thousand kwacha;
 - (ii) the rent payable in respect thereof does not exceed the sum of fifty thousand kwacha by the year; or
 - (iii) in case of a Subordinate Court presided over by a chief resident magistrate, principal resident magistrate or a senior resident magistrate, the rent payable in respect thereof does not exceed one hundred thousand kwacha by the year.

Amendment
of Section 21

4. The principal Act is amended by the deletion of section 21 and the substitution therefor of the following new section:

Civil
jurisdiction
of
Subordinate
Courts of
second class

21. In civil causes and matters, a Subordinate Court of the second class shall, within the territorial limits of its jurisdiction, have all the jurisdiction conferred by section twenty upon a Subordinate Court of the first class, subject to the limitations contained in that Section.

(2) In civil causes and matters, a Subordinate Court of the second class shall, subject to subsection (1), have jurisdiction in personal suits, whether arising from contract, tort, or from both, where the value of the property, debt or damage claimed, whether as a balance of accounts or otherwise, is not more than twenty-five thousand kwacha.

Amendment
of Section 22

5. Section 22 of the principal Act is amended by the deletion of paragraph (a) and the substitution therefor of the following:

(a) in all personal suits, whether arising from contract or from tort or from both, where the value of property or debt or damage claimed, whether as balance of accounts or otherwise, is not more than twenty thousand kwacha.