

Zambia

## Fees and Fines Act, 1994

### Chapter 45

Legislation as at 19 December 2013

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PDF created on 10 June 2025 at 09:07.

*Collection last checked for updates: 31 December 1996.*

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FRBR URI: /akn/zm/act/1994/13/eng@2013-12-19

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# Zambia

## Fees and Fines Act, 1994

### Chapter 45

Published

**Commenced on 3 June 1994**

*[This is the version of this document from 19 December 2013.]*

*[This legislation has been revised and consolidated by the Ministry of Legal Affairs of the Government of the Republic of Zambia. This version is up-to-date as at 31st December 1996. All subsequent amendments have been researched and applied by Laws.Africa for ZAMBIALII.]*

*[Amended by Fees and Fines (Amendment) Act, 2013 (Act 11 of 2013) on 19 December 2013]*

*[13 of 1994; 6 of 1996]*

**An act to provide for the amounts of fees and fines to be expressed in terms of the fee units and penalty units; to provide for the amounts of existing fees and fines to be converted into fee units and penalty units; and to provide for matters connected with or incidental to the foregoing.**

### Part I – Preliminary

#### 1. Short title and commencement

- (1) This Act may be cited as the Fees and Fines Act.
- (2) This Act shall be deemed to have commenced on the 29th January, 1994.

#### 2. Interpretation

- (1) In this Act, unless the context otherwise requires—
  - "**fee**" includes tax, levy, charge and any other impost, whether or not a service is provided in exchange for the payment thereof;
  - "**fine**" means any pecuniary penalty that may be imposed by a court for an offence.
- (2) For the purposes of the application of this Act to other Acts—
  - (a) a reference in any other Act to a number of ngwee shall be read as a reference to the appropriate fraction of a kwacha; and
  - (b) a reference to another Act does not include a reference to any statutory instrument made under that Act.

### Part II – Fees and fee units

#### 3. Fee units

In any written law, unless the context otherwise requires, "fee unit" means one hundred and eighty kwacha.

#### 4. Fees expressed in kwacha amounts are to be converted to fees expressed in fees units

Where a provision in any Act imposes a fee and the fee is expressed as—

- (a) a specified number of kwacha; or
- (b) a rate whereby a specified number of kwacha is payable for a specified quantity of any thing, or a specified period of time;

the provision shall be read as if the fee were expressed instead as—

- (i) the number of fee units calculated in accordance with section five; or
- (ii) a rate whereby the number of fee units calculated in accordance with section five is payable for the specified quantity, or specified period of time;

as the case may require.

#### 5. Method of conversion

- (1) The number of fee units that corresponds, for the purposes of section four, to the amount in kwacha of a fee shall be calculated as follows:

- (a) the number of kwacha shall be multiplied by the appropriate multiplier;
- (b) the result shall be divided by one hundred;
- (c) the required number of fee units shall be—
  - (i) the quotient obtained under paragraph (b), if it is a whole number; or
  - (ii) the next highest whole number, if that quotient is not a whole number.

- (2) In this section, "appropriate multiplier", in relation to the amount of a fee prescribed by an Act, means the number specified in the Schedule that corresponds to—

- (a) the year in which the fee was last varied by amendment of the provision concerned; or
- (b) if it has never been so varied, the year in which that provision came into force.

### Part III – Fines and penalty units

#### 6. Penalty units

In any written law, unless the context otherwise requires, "penalty unit" means one hundred and eighty kwacha.

#### 7. Fines expressed in kwacha amounts are to be converted to fines expressed in penalty units

Where any Act provides that a fine may be imposed for an offence and the amount of the fine, or the maximum amount of the fine, that may be so imposed is expressed as—

- (a) a specified number of kwacha; or
- (b) a rate whereby a specified number of kwacha is payable in respect of a specified quantity of any thing, or in respect of a specified period of time;

the provision shall be read as if the amount, or maximum amount, of the fine were expressed instead as—

- (i) the number of penalty units calculated in accordance with section eight; or

- (ii) a rate whereby the number of penalty units calculated in accordance with section eight is payable in respect of the specified quantity, or specified period of time;

as the case may require.

### 8. Method of conversion

- (1) The number of penalty units that corresponds, for the purposes of section seven, to the amount in kwacha of a fine shall be calculated as follows:
- (a) the number of kwacha shall be multiplied by the appropriate multiplier;
  - (b) the result shall be divided by one hundred;
  - (c) the required number of penalty units shall be—
    - (i) the quotient obtained under paragraph (b), if it is a whole number; or
    - (ii) the next highest whole number, if that quotient is not a whole number.
- (2) In this section, "appropriate multiplier", in relation to a fine imposed by a provision of any Act, means the number specified in the Schedule that corresponds to—
- (a) the year in which the fine was last varied by amendment; or
  - (b) if it has never been so varied, the year in which that provision came into force.

### 9. Regulations

The Minister may, by statutory instrument, make regulations to provide for—

- (a) the value of a fee or penalty unit; and
- (b) the methods and formulae for the conversion of fees and penalty units.

*[section 9 inserted by section 2 of [Act 11 of 2013](#)]*

## Schedule (Sections 5 and 8)

### Multipliers for fees and fines in Acts

Year in which fee or fine was last varied	Multiplier
1970 or earlier	1500
1971-1975	1000
1976-1980	500
1981-1985	250
1986	125
1987	75

<b>Year in which fee or fine was last varied</b>	<b>Multiplier</b>
1988	50
1989	25
1990	15
1991	8
1992	4
1993	2
1994	1