

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 18 OF 2023

The Zambezi River Authority Act
(Laws, Volume 26, Cap. 467)

**The Zambezi River Authority (Terms and Conditions of
Service) (Amendment) By-laws, 2023**

IN EXERCISE of the powers contained in Article 10 of the Agreement in the Schedule to the Zambezi River Authority Act and with the approval of the Council, the following By-laws are made:

1. These By-laws may be cited as the Zambezi River Authority (Terms and Conditions of Service) (Amendment) By-laws, 2023, and shall be read as one with the Zambezi River Authority (Terms and Conditions of Service) By-laws, in these By-laws referred to as the principal By-laws.

Title
S. I. No. 2 of
1995

2. By-law 7 (1) of the principal By-laws is amended by the deletion of paragraph (b) and the substitution therefor of the following:

Amendment
of by-law 7

(b) a redundancy package calculated as follows:

<i>Completed Years of Service</i>	<i>Rate of Compensation</i>
0-4	2 years current basic pay
5-9	2.5 years current basic pay
10-18	3 years current basic pay
19 or more	2 months current basic pay for every year served

*Copies of this Statutory Instrument can be obtained from the Government Printer,
P.O. Box 30136, 10101 Lusaka. Price K12.00 each.*

Amendment
of by-law 24

3. By-law 24(4) of the principal By-laws is amended by the deletion of the words “sub-by-laws (1) and (2)” and the substitution therefor of the words “sub-by-laws (2) and (3)”.

Revocation
and
replacement
of by-law 50

4. The principal By-laws are amended by the revocation of by-law 50 and the substitution therefor of the following:

Compassionate
leave

(1) An employee may be granted compassionate leave for a period not exceeding twelve days in one calendar year by the head of department where that employee

(a) has lost a spouse, parent, child or dependant;

(b) is subpoenaed to attend any court as a witness;

(c) is required to attend as a delegate or office bearer at any meeting of a registered trade union representing employees of the Authority;

(d) is detained for questioning by the police;

(e) is absent from duty on the recommendation of a health practitioner because of contact with a person having a notifiable infectious disease; or

(f) has a justifiable compassionate ground.

(2) Compassionate leave granted to an employee under sub-by-law (1) shall be granted with pay.

Amendment
of by-law 53

5. By-law 53 of the principal By-laws is amended by the deletion of sub-by-law (1) and the substitution therefor of the following:

(1) An employee who has served for not less than six months and is discharged on grounds of ill health shall be paid, in addition to the other accrued benefits, a lump sum of three months basic pay for each completed year of service.

Amendment
of by-law
60C

6. By-law 60C of the principal By-laws is amended—

(a) by the deletion of sub-by-law (1) and the substitution therefor of the following:

(1) A female employee who is pregnant and has served the Authority for a continuous period of twelve months from the date of the initial employment by the Authority shall be granted maternity leave not exceeding ninety-eight days commencing not more than forty-five days before the expected date of delivery.

(b) in sub-by-law (4), by the deletion of the word “subsection” and the substitution therefor of the word “sub-by-law”; and

(c) by the insertion of the following sub-by-laws immediately after sub-by-law (4):

(5) Despite sub-by-law (1), a female employee who gives birth to a premature child is entitled to an extension of the maternity leave for a period that shall be recommended by the medical doctor.

(6) A female employee who remains in continuous employment with the Authority for a period of twelve months and suffers a miscarriage during the third trimester of pregnancy or bears a still born child is entitled to six weeks leave on full pay immediately after the miscarriage or still birth, except that the miscarriage or still birth shall be duly certified by a medical officer.

(7) In this by-law, “premature child” means a child born before thirty seven weeks of gestation counting from the first day of the last menstrual cycle.

7. The principal By-laws are amended by the insertion of the following by-laws immediately after by-law 60D:

Insertion of
by-laws 60E
and 60F

60E. (1) A female employee who is nursing that employee’s unweaned child is entitled each working day, at a time convenient to the employee and having regard to the needs of the child, to at least—

Nursing
breaks

(a) two nursing breaks of thirty minutes each; or

(b) one nursing break of one hour.

(2) The nursing break referred to in sub-by-law (1) shall—

(a) be for a period of six months from the date of the expiration of the maternity leave; and

(b) not be deducted from the number of paid hours of work of that female employee.

Family
responsibility
leave

60F. (1) An employee who has worked for a period of six months or more shall be granted leave of absence with pay for a period not exceeding seven days in a calendar year to enable the employee to nurse a sick spouse, child or dependant, except that the employer may, before granting that leave, require the employee to produce a certificate from a medical doctor certifying that the spouse, child or dependant is sick and requires special attention.

(2) An employee is, in addition to the leave referred to under sub-by-law (1), entitled to leave of absence with pay for a period not exceeding three days in a calendar year to cover responsibilities related to the care, health or education for that employee's child, spouse or dependant.

(3) The days taken as leave under this by-law shall not be cumulative or deducted from the employee's accrued leave days.

Amendment
of Third
Schedule

8. The Third Schedule to the principal By-laws is amended in Part C by the deletion of the columns on Job Title relating to Grade ZRA 5 and the substitution therefor of the columns set out in the Appendix.

Revocation
of Fourth
Schedule

9. The principal By-laws are amended by the revocation of the Fourth Schedule.

APPENDIX
(By-law 8)THIRD SCHEDULE
(By-law 41)

<i>Job Title</i>	<i>Grade</i>	<i>Number of positions per Grade</i>	<i>Employee category</i>	<i>Leave days</i>
PART C				
Accounts Officer-Projects Legal Officer	ZRA 5	17	Lower Management	36
Water Resources Officer				
Dam Maintenance Officer				
Pollution and Environmental Officer				
Dam Safety Monitoring Officer				
Internal Auditor				
Human Resource & Administration Officer X 2				
Safety, Health and Environmental Officer (3)				
Project Planning Officer (2)				
Quality and Risk Officer (2)				
Stakeholder Relations Officer				

LUSAKA

9th June, 2023

[MOE/101/1/12]

P. C. KAPALA,
Minister of Energy