

Zambia Legal Framework Analysis: Key Highlights

This one-pager aims to provide a brief overview of the most notable features of Zambia's national cooperative legal framework, based on the work of national legal experts and ICA member input.

Main regulations: In Zambia, the Cooperative Societies Act No. 63 of 1970 and the cooperative rules of 1972 are the legal instruments of government for management of the cooperative sector in Zambia.

The cooperative Act and rules premise the operational context for all the cooperatives in Zambia from formation to liquidation.

For the full analysis including all relevant regulations, see the full report.

Cooperative Friendliness: From the view of the national experts, the cooperative law in Zambia is cooperative friendly by content and the world-wide nature of the cooperative approach epitomized in ICA has provided bounds in domestication of the cooperative law in Zambia.

However, the enforcement compliance levels to the provision of the act can and has created barrier effects. The registration of cooperatives formed under the FISP by the Ministry of Commerce, Trade and Industry undermines the essence of the cooperative law as some of these cooperatives do not have any obligation to the cooperative spirit other than accessing government resources. It also relegates the cooperative voluntary membership, collective ownership and joint benefit.

Key recommendations for improvement: There's need for a number of adjustments in the enforcement of the cooperative law. These include: establishment of a robust monitoring strategy, periodic review of the cooperative act, encourage integration and heighten community sensitization.

Conclusions: A robust monitoring strategy for compliance to the cooperative law provisions will enhance capacity in identification of whatever short comings the law may have as a consequence of either change in member needs or another legal jurisdiction government may be implementing. Periodic review is essential to sustain its friendliness towards cooperative development.

