

Zambia

Anti-Terrorism and Non-Proliferation Act, 2018

Act 6 of 2018

Legislation as at 26 December 2024

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PDF created on 11 June 2025 at 13:44.

Collection last checked for updates: 31 December 1996.

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FRBR URI: /akn/zm/act/2018/6/eng@2024-12-26

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Anti-Terrorism and Non-Proliferation Act, 2018 (Act 6 of 2018)
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Zambia

Anti-Terrorism and Non-Proliferation Act, 2018

Act 6 of 2018

[Published in Government Gazette on 31 July 2018](#)

Assented to on 28 July 2018

Commenced on 31 July 2018

[This is the version of this document from 26 December 2024.]

[Amended by [Anti-Terrorism and Non-Proliferation \(Amendment\) Act, 2022 \(Act 6 of 2023\)](#) on 18 April 2023]

[Amended by [Anti-Terrorism and Non-Proliferation \(Amendment\) Act, 2024 \(Act 30 of 2024\)](#) on 26 December 2024]

[This Act is amended by the substitution for the words “financing of terrorism” of the words “terrorism financing” wherever they appear, except in the Second Schedule, by section 34 of [Act 6 of 2023](#), and for the words “Director” and “applicable United Nations Security Council Resolutions” of the words “Director-General” and “relevant United Nations Security Council Resolutions” respectively, wherever they appear, by section 24 of [Act 30 of 2024](#)]

An Act to prevent and prohibit the carrying out of terrorism financing and proliferation activities; provide for measures for the detection and prevention of terrorism and proliferation activities; provide for the continued existence of the National Anti-Terrorism Centre and redefine its functions; provide for the offences of proliferation and proliferation financing; domesticate the international conventions and treaties on anti-terrorism and proliferation; repeal the Anti-Terrorism Act, 2007; and provide for matters, connected with, or incidental to the foregoing.

ENACTED by the Parliament of Zambia

Part I – Preliminary

1. Short title

This Act may be cited as the Anti-Terrorism and Non-Proliferation Act, 2018.

2. Interpretation

(1) In this Act, unless the context otherwise requires—

“**Anti-Corruption Commission**” has the meaning the assigned to the words in the Anti-Corruption Act, 2012;

[\[Act No. 3 of 2012\]](#)

“**anti-terrorism officer**” means a person appointed as such under section 12;

“**relevant United Nations Security Council Resolutions (UNSCR)**” means—

- (a) United Nations Security Council [Resolution 1267 of 1999](#);
- (b) United Nations Security Council [Resolution 1373 of 2001](#);
- (c) United Nations Security Council [Resolution 1390 of 2002](#);
- (d) United Nations Security Council [Resolution 1452 of 2002](#);
- (e) United Nations Security Council [Resolution 1718 of 2006](#);
- (f) United Nations Security Council [Resolution 1737 of 2006](#);

- (g) United Nations Security Council [Resolution 1735 of 2006](#);
- (h) United Nations Security Council [Resolution 1822 of 2008](#);
- (i) United Nations Security Council [Resolution 1904 of 2009](#);
- (j) United Nations Security Council [Resolution 1988 of 2011](#);
- (k) United Nations Security Council [Resolution 1989 of 2011](#); and
- (l) any other United Nations Security Council Resolution that may be issued concerning the designation, asset freezing, arms embargo and travel ban in respect of a designated person, entity or country in relation to the application of measures for the combatting of terrorism;

“**article**” means any utensil, equipment, instrument, tool or any other implement used to commit or attempt to commit an act of terrorism or proliferation;

[definition of "article" substituted by section 2(a) of [Act 6 of 2023](#)]

“**authorised officer**” means—

- (a) a police officer;
- (b) officer of the Zambia Revenue Authority;
- (c) an immigration officer;
- (d) officer of the Defence Force;
- (e) an intelligence officer;
- (f) an officer of the Drug Enforcement Commission;
- (g) an officer of the Zambia Correctional Service;
- (h) an officer of the Anti-Corruption Commission;
- (i) an officer of the Financial Intelligence Centre; or
- (j) any other person appointed, in writing, as an authorised officer by the Committee;

[definition of "authorised officer" substituted by section 2(a) of [Act 6 of 2023](#)]

“**bank**” has the meaning assigned to the word in the Banking and Financial Services Act;

[[Act No. 7 of 2017](#)]

“**basic expenses**” includes payment of—

- (a) certain types of fees, costs and remuneration for services in accordance with the procedures established in the United Nations Security Council Resolutions; and
- (b) food, rent or mortgages, medicines and medical treatments, taxes, premiums insurance, water or electricity charges, or solely for the payment of reasonable professional fees and for the reimbursement of expenses associated with the provision of legal services, fees or charges for maintenance services for frozen funds or other financial assets or economic resources;

[definition of "basic expenses" inserted by section 2(a)(ii) of [Act 30 of 2024](#)]

“**Centre**” means the National Anti-Terrorism Centre established under section 5;

“**Committee**” means the National Anti-Terrorism and Proliferation Committee established under section 7;

“**Counter Terrorism Convention**” means any convention listed in the Second Schedule and any other subsequent convention ratified and domesticated in accordance with the Ratification of International Agreements Act, 2016;

[Act No. 34 of 2016]

[definition of "Counter Terrorism Convention" substituted by section 2(a) of Act 6 of 2023]

“**declared terrorist organisation**” has the meaning assigned to the words in section 40;

“**designated person or entity**” means a person or entity designated by the relevant United Nations Security Council Committee;

[definition of "designated person or entity" inserted by section 2(b) of Act 6 of 2023]

“**designation**” means the identification or listing of a person or entity that is subject to targeted financial sanctions pursuant to the relevant United Nations Security Council Resolutions;

[definition of "designation" inserted by section 2(b) of Act 6 of 2023]

“**Director-General**” means the person appointed as Director-General under section 11;

[Cap. 96]

“**Drug Enforcement Commission**” has the meaning assigned to the words in the Narcotic Drugs and Psychotropic Substances Act;

“**explosive**” has the meaning assigned to the word in the Explosives Act;

[Cap. 115]

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

[Cap. 1]

[definition of "Emoluments Commission" inserted by section 2(b) of Act 6 of 2023]

“**entity**” means trust partnership, fund or an incorporated association or organisation;

[definition of "entity" inserted by section 2(b) of Act 6 of 2023]

“**exclusion order**” means an order issued against an individual that prohibits that individual from entering the Republic;

“**extraordinary expenses**” means expenses other than basic expenses;

[definition of "extraordinary expenses" inserted by section 2(a)(ii) of Act 30 of 2024]

“**financial institution**” has the meaning assigned to the words in the Banking and Financial Services Act, 2017;

[Act No. 7 of 2017]

“**financial service**” has the meaning assigned to the words in the Banking and Financial Services Act, 2017;

[Act No. 7 of 2017]

[definition of "financial service" inserted by section 2(b) of Act 6 of 2023]

“**financial service provider**” has the meaning assigned to the words in the Banking and Financial Services Act, 2017;

[Act No. 7 of 2017]

“**firearm**” has the meaning assigned to the word in the Firearms Act and includes an air gun or air pistol;

[Cap. 110]

“**funds**” means assets of every kind, whether corporeal or incorporeal, tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such assets;

[definition of “funds” substituted by section 2(a)(i) of [Act 30 of 2024](#)]

“**funds or other assets**” means any assets, including virtual assets, financial assets, economic resources, including oil and other natural resources, property of any kind, whether tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such funds or other assets, including bank credits, travellers cheques, bank cheques, money orders, shares, securities, bonds, drafts, or letters of credit, and any interest, dividends or other income on or value accruing from or generated by such funds or other assets, and any other assets which potentially may be used to obtain funds, goods or services;

[definition of “funds or other assets” inserted by section 2(b) of [Act 6 of 2023](#) and substituted by section 2(a)(i) of [Act 30 of 2024](#)]

“**freeze**” means the prohibition of the transfer, conversion, disposition or movement of funds or other assets that are owned or controlled by a designated person or entity on the basis of, and for the duration of the validity of, an action initiated by the United Nations Security Council or in accordance with relevant United Nations Security Council Resolutions by a competent authority or court;

[definition of “freeze” inserted by section 2(b) of [Act 6 of 2023](#)]

“**frozen account**” means an account with a reporting entity, supervisory authority, State institution or any other person or entity which has been restricted from transfer, conversion, disposition or movement of any funds or other assets, by a reporting entity, supervisory authority, State institution or any other person or entity;

[definition of “frozen account” inserted by section 2(a)(ii) of [Act 30 of 2024](#)]

“**group**” means two or more persons existing in a structured manner for a period of time and acting in concert with the aim of committing terrorism, proliferation or a serious offence;

[definition of “group” inserted by section 2(b) of [Act 6 of 2023](#) and substituted by section 2(a)(i) of [Act 30 of 2024](#)]

“**immigration officer**” means a person appointed under the Immigration and Deportation Act;

[Act No. 18 of 2010]

“**inland waters**” means such waters as may be declared to be inland waters by the President under the Inland Waters Shipping Act;

[Cap. 466]

“**practitioner**” has the meaning assigned to the word in the Legal Practitioners Act;

[Cap. 30]

“**national listing**” means the listing of a person or entity by the Minister, on the recommendation of the Centre, that is identified as being engaged in, or concerned with, acts of terrorism, terrorism financing, proliferation or proliferation financing and are subject to targeted financial sanctions, and the words “nationally list” and “nationally listed” shall be construed accordingly;

[definition of “national listing” substituted by section 2(a) of [Act 6 of 2023](#)]

“nuclear facility” means—

- (a) a nuclear reactor, including a reactor installed on a vessel, vehicle, aircraft or space object for use as an energy source in order to propel such a vessel, vehicle, aircraft or space object or any other purpose; or
- (b) a plant or conveyance being used for the production, storage, processing or transport of a radioactive material;

[definition of “nuclear facility” inserted by section 2(a)(ii) of [Act 30 of 2024](#)]

“officer of customs” means an officer appointed by the Commissioner-General of the Zambia Revenue Authority to carry out a customs function under [the Customs and Excise Act](#);

[Cap. 322]

“organisation” includes any association or combination of persons;

“premises” includes a vehicle, an offshore installation, a tent or moveable structure;

“proliferation” includes the manufacture, acquisition, possession, development, export, transshipment, brokering, transport, transfer, stockpiling, supply, sale or use of nuclear, ballistic, chemical, radiological or biological weapons or any other weapon capable of causing mass destruction and their means, of delivery and related materials, including both technologies and dual use goods used for non-legitimate purposes, including technology, goods, software, services or expertise, in contravention of this Act or, where applicable, international obligations derived from relevant Security Council Resolutions and “proliferation activity” shall be construed accordingly;

“proliferation” means—

- (a) intentionally and without lawful authority, altering, manufacturing, producing, possessing, acquiring, stockpiling, storing, developing, brokering, transporting, selling, supplying, transferring, exporting, transiting, transshipping, disposing, or dispersing or using of a chemical, biological, radiological or nuclear material or device and their means of delivery or related materials, including both technologies or dual use goods—
 - (i) for non-legitimate purposes; or
 - (ii) which causes or is likely to cause death or serious injury to any person or substantial damage to property or to the environment;
- (b) an attempt to engage or participate as an accomplice in activities referred to under paragraph (a);
- (c) the provision of technical training, advice, service, brokering or assistance related to any of the activities referred to in paragraphs (a) or (b);
- (d) intentionally and without lawful authority dealing with materials as may be prescribed, which are related to a chemical, biological, radiological or nuclear weapon; or
- (e) intentionally and without lawful authority releasing a dangerous, hazardous, toxic or radioactive substance, microbial or other biological agent or toxin into the environment;

[definition of “proliferation” substituted by section 2(a)(i) of [Act 30 of 2024](#)]

“proliferation financing” means, an act by any person who by any means, directly or indirectly, wilfully provides, gathers, collects, holds or manages funds or other assets, products or rights that can be transformed into funds or other assets, or provides financial services, with the intention that those funds or other assets be used or with knowledge that those funds or other assets may be used in full or in part to finance proliferation;

[definition of “proliferation financing” substituted by section 2(a)(i) of [Act 30 of 2024](#)]

“proliferation related entity” means, an act by any person who by any means, directly or indirectly, wilfully provides, gathers, collects, holds or manages funds or other assets, products or rights that can be transformed into funds or other assets, or provides financial services, with the intention that those funds or other assets be used or with knowledge that those funds or other assets may be used in full or in part to finance proliferation;

[definition of “proliferation related entity” inserted by section 2(a)(i) of [Act 30 of 2024](#)]

“property” includes any real or personal property, money or chose in action or other intangible or incorporeal property whether located in Zambia or elsewhere and property of corresponding value;

“radicalise” means a gradual or phased process that exploits the psychological, political, social, religious, or ideological conditioning of individuals to believe that they are part of a threatened or combative collective identity, in order to socialise them to violent extremism which includes terrorism and “radicalise” and “radicalisation” shall be construed accordingly; and

[definition of “radicalise” inserted by section 2(a)(ii) of [Act 30 of 2024](#)]

“record” includes—

- (a) a photographic record;
- (b) an electronic or magnetic record; and
- (c) any computer, disk, tape, article or thing in or on which a record is stored;

“reporting entity” has the meaning assigned to the words in the Financial Intelligence Centre Act, 2010;

[Act No. 46 of 2010]

“relevant United Nations Security Council Resolutions” means—

- (a) United Nations Security Council [Resolution 1267 of 1999](#);
- (b) United Nations Security Council [Resolution 1373 of 2001](#);
- (c) United Nations Security Council [Resolution 1390 of 2002](#);
- (d) United Nations Security Council [Resolution 1452 of 2002](#);
- (e) United Nations Security Council [Resolution 1718 of 2006](#);
- (f) United Nations Security Council [Resolution 1737 of 2006](#);
- (g) United Nations Security Council [Resolution 1735 of 2006](#);
- (h) United Nations Security Council [Resolution 1822 of 2008](#);
- (i) United Nations Security Council [Resolution 1904 of 2009](#);
- (j) United Nations Security Council [Resolution 1988 of 2011](#);
- (k) United Nations Security Council [Resolution 1989 of 2011](#);
- (l) United Nations Security Council [Resolution 1540 of 2004](#);
- (m) United Nations Security Council [Resolution 2231 of 2015](#); or
- (n) any other United Nations Security Council Resolution that may be issued concerning the designation, asset freezing, arms embargo and travel ban in respect of a designated person, entity or country in relation to the implementation of measures for the combatting of terrorism, proliferation or their financing;

[definition of “relevant United Nations Security Council Resolutions” inserted by section 2(a)(i) of [Act 30 of 2024](#)]

“**State institution**” has the meaning assigned to the words in the constitution;

[Cap. 1]

[definition of "State institution" substituted by section 2(b) of [Act 6 of 2023](#)]

“**supervisory authority**” has the meaning assigned to the words in the Financial Intelligence Centre Act, 2010;

[Act No. 46 of 2010]

[definition of "supervisory authority" substituted by section 2(b) of [Act 6 of 2023](#)]

“**terrorism**” means—

- (a) an act which constitutes an offence within the scope of, and as defined in one of the applicable treaties specified in the Second Schedule;
- (b) an act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organisation to do, or to abstain from doing, any act;
- (c) a criminal act that may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, group of persons, or causes or may cause damage to public or private property, natural resources, environmental or cultural heritage and is calculated or intended to—
 - (i) intimidate, put in fear, force, coerce or induce the Government, a body, an institution, the general public or any segment thereof, to do or abstain from doing any act, or to adopt or abandon a particular view, or to act according to certain principles;
 - (ii) disrupt any public service, the delivery of an essential service to the public, or to create a public emergency;
 - (iii) create general insurrection in the Republic; or
 - (iv) to threaten diplomatic agents or other internationally protected persons;
- (d) hijacking or unlawfully seizing of an aircraft or public transport or any vessel or the taking of a hostage or group of hostages for ransom;
- (e) unlawful importation, sale, making, manufacture or distribution of any firearms, explosive, ammunition or bomb or generally providing weapons to a terrorist or terrorist organisations;
- (f) an act or omission in or outside the Republic that interferes with an electronic system to harm and cause fear or disrupt the provision of communication, financial, transport or other essential or emergency services to the public for purposes that may include advancing a political, ideological or religious cause;
- (g) arranging for the retention or control of property belonging to a terrorist or terrorist organisation;
- (h) knowingly dealing in property owned or controlled by a terrorist or terrorist organisation;
 - (i) soliciting or giving support to a terrorist or terrorist organisation; or
 - (j) intentional or unlawful manufacture, delivery, placement, discharge or detonation of any explosive or other lethal device whether attempted or actual, in, into or against a place of public use, a State or government or an organisation, international facility, a public transportation system, or an infrastructure facility with the intent to cause death or serious bodily injury, or extensive destruction likely to or actually resulting in major economic loss;

- (k) traveling outside the Republic for the purpose of perpetrating, planning, or preparation of, or participation in, acts of terrorism, or providing or receiving terrorist training whether against the Republic or any other State;
- (l) seizure, or detention of, or threat to kill, injure or continue to detain a hostage, whether actual or attempted in order to compel a State, an international inter-governmental organisation, a person or group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage;
- (m) intentional or unlawful provision or collection of funds or services, or providing or receiving training whether attempted or actual, with the intention or knowledge that any part of the funds or services or training may be used to carry out any of the activities under paragraphs (a) to (l);
- (n) unlawful possession of explosives, ammunition, bomb or any materials for making of explosives, ammunition or bomb for purposes of carrying out any of the activities under paragraphs (a) to (l);
- (o) unlawful possession of materials for promoting an activity under paragraphs (a) to (l) that may include audio or video tapes, written or electronic literature; or
- (p) any promotion, sponsoring, contribution to, command, aid, incitement, encouragement, attempt, threat, conspiracy, organising, or procurement of any person, with the intent to commit any act referred to in paragraph (a) to (o);

[definition of “terrorism” substituted by section 2(a)(i) of Act 30 of 2024]

“**terrorism financing**” means an act by any person who wilfully provides or collects funds or other assets, by any means, directly or indirectly, with the intention that those funds or other assets be used, or in the knowledge that they are to be used, in full or in part—

- (a) to carry out an act which constitutes an offence within the scope of and as defined in one of the applicable treaties listed in the Second Schedule;
- (b) to carry out any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organisation to do or to abstain from doing any act;
- (c) to carry out terrorism;
- (d) by a terrorist or by a terrorist organisation, even in the absence of a link to a specific act or acts of terrorism; or
- (e) for the travel of a person to a State other than the person’s State of residence or nationality for the purpose of perpetration, planning or preparation of, or participation in, terrorism or the providing or receiving of terrorist training;

[definition of “terrorism financing” substituted by section 2(a)(i) of Act 30 of 2024]

“**terrorist**” means a person who—

- (a) has committed terrorism or proliferation in or outside the Republic; or
- (b) is, or has been, involved in the commission, preparation or instigation of terrorism or proliferation;

[definition of “terrorist” substituted by section 2(a)(i) of Act 30 of 2024]

“**terrorist act**” means—

- (a) any criminal act that may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, group of persons, or causes or may cause damage to public or

private property, natural resources, environmental or cultural heritage and is calculated or intended to—

- (i) intimidate, put in fear, force, coerce or induce the Government, a body, an institution, the general public or any segment thereof, to do or abstain from doing any act, or to adopt or abandon a particular view, or to act according to certain principles;
 - (ii) disrupt any public service, the delivery of an essential service to the public, or to create a public emergency; or
 - (iii) create general insurrection in the Republic; and
- (b) any promotion, sponsoring, contribution to, command, aid, incitement, encouragement, attempt, threat, conspiracy, organising, or procurement of any person, with the intent to commit any act referred to in paragraph (a)(i) to (iii);

[definition of "terrorist act" inserted by section 2(b) of [Act 6 of 2023](#)]

"terrorist organisation" means a group of terrorists that—

- (a) commits, or attempts to commit, terrorism by any means, directly or indirectly, unlawfully and willfully;
- (b) participates as an accomplice in terrorism;
- (c) organises or directs others to commit terrorism; or
- (d) contributes to the commission of terrorism by a group of persons acting with a common purpose where the contribution is made intentionally and with the aim of furthering terrorism or with the knowledge of the intention of the group to commit terrorism; and

[definition of "terrorist organisation" substituted by section 2(a)(i) of [Act 30 of 2024](#)]

"terrorist investigation" means an investigation of—

- (a) the commission, preparation or instigation of acts of terrorism or proliferation;
- (b) an act which appears to have been done for the purposes of terrorism or proliferation;
- (c) the resources of a declared terrorist organisation or proliferation related entity;
- (d) the possibility of making an order under section [62\(1\)](#); or
- (e) the commission, preparation or instigation of an offence under this Act;

"training for terrorism or proliferation" means to receive instruction, including obtaining knowledge or practical skills, from another person in the making or use of explosives, firearms, noxious or hazardous substances or any other specific methods or techniques, for the purposes of carrying out or contributing to the commission of terrorism, terrorism financing, proliferation or proliferation financing, knowing that the skills provided are intended to be used for the commission of terrorism, terrorism financing, proliferation or proliferation financing;

[definition of "training for terrorism or proliferation" inserted by section 2(b) of [Act 6 of 2023](#)]

"vessel" includes a ship, fishing vessel and any water craft used or capable of being used as a means of transportation on water as defined by the Inland Waters and Shipping Act;

[Cap. 466]

[definition of "vessel" substituted by section 2(a) of [Act 6 of 2023](#)]

"virtual assets" has the meaning assigned to the words in the Financial Intelligence Center Act, 2010;

[Act No. 46 of 2010]

[definition of "virtual assets" inserted by section 2(a)(ii) of [Act 30 of 2024](#)]

“**without delay**” means the implementation of targeted financial sanctions within twenty-four hours, in the case of—

- (a) designation by the United Nations Security Council or its relevant Sanctions Committee, on designation of the person or entity; or
- (b) national listing, after listing by the Minister or at the request of another State, as soon as there are reasonable grounds or a reasonable basis to suspect or believe that a person, group or entity meets the criteria for inclusion in the national list; and

[definition of "without delay" added by section 2(b) of [Act 6 of 2023](#) and substituted by section 2(a)(i) of [Act 30 of 2024](#)]

- (2) In this Act, a reference to action taken for the purposes of terrorism includes a reference to action taken for the benefit of a declared terrorist organisation, a terrorist or in contemplation of terrorism whether that act occurs or not; and

[subsection (2) substituted by section 2(b) of [Act 30 of 2024](#)]

- (3) A requirement imposed by or under this Act to produce or deliver up a record shall, in relation to an electronic or magnetic record, be construed as a requirement—

- (a) where practicable, to produce or deliver up a disk from which the record is fully and freely accessible, by the use of a personal computer of a common variety, by the officer or person to whom the record is required to be produced or delivered up; or
- (b) where it is not reasonably practicable to—
 - (i) allow an officer or person full and free access to the record using facilities of, or in the custody or under the control of, the person on whom the requirement is imposed; or
 - (ii) produce or deliver up a documentary or a hard copy version of the record.

- (4) A power conferred by or under this Act to inspect any record shall, in relation to an electronic or magnetic record, be construed as a power to require full and free access to the record using the facilities of the person having custody or control of the record, and any neglect or failure by that person to afford such access shall be deemed to constitute obstruction of the officer or person exercising the power.

- (5) A power conferred by or under this Act to seize and retain a record includes, in relation to an electronic or magnetic record, a power to seize any computer, disk, tape or other thing on which the record is stored.

- (6) In this Act, a reference to without delay shall be interpreted in the context of the need to prevent the flight or dissipation of funds or other assets, linked to designated persons, groups or entities and the need for coordinated global action to prevent, suppress, interdict and disrupt terrorism, terrorism financing, or the proliferation of weapons of mass destruction and its financing.

[subsection (6) added by section 2(b) of [Act 30 of 2024](#)]

3. Jurisdiction of High Court

- (1) Subject to the other provisions of this Act, the High Court has jurisdiction to try any offences under this Act.
- (2) A person who commits an offence outside Zambia which, if wholly done within Zambia, would be an offence against this Act, may be tried and punished under this Act in the same manner as if that act had been wholly done within Zambia.
- (3) When an act which, if wholly done within Zambia, would be an offence against this Act is done partly within and partly outside Zambia, any person who within Zambia does any part of such act may be tried and punished under this Act as if such act had been wholly done within Zambia.

- (4) Any person who commits an offence outside Zambia is deemed to have committed that offence in Zambia if—
- (a) that person is a Zambian citizen;
 - (b) that person is not a Zambian citizen but is ordinarily resident in Zambia;
 - (c) that person, after the commission of the offence, is present in Zambia; or
 - (d) that person has committed an offence against a Zambian citizen or against a person who is ordinarily resident in Zambia.
- (5) Nothing in subsection (2) shall render a person liable to be tried and punished under this Act in respect of an act done outside Zambia which, if wholly done within Zambia, would be an offence against this Act if that person has been convicted and punished outside Zambia in respect of the same act, except that such a conviction shall for purposes of this Act or any other law be deemed to be a conviction for that offence under this Act.

4. Non-application of section 26(2) of Penal Code, Cap. 87

Section 26(2) of the Penal Code does not apply to this Act.

Part II – The National Anti-Terrorism Centre

5. Continuation of National Anti-Terrorism Centre

- (1) There is continued the National Anti-Terrorism Centre which is responsible for the enforcement of this Act.
- (2) The Centre is a department in the Ministry responsible for internal security.

[section 5 substituted by section 3 of [Act 6 of 2023](#)]

6. Functions of Centre

- (1) The Centre shall coordinate the prevention of, detection of, response to, mitigation and investigation of, terrorism, terrorism financing, proliferation, proliferation financing and threats to internal security.
- (2) Without prejudice to the generality of subsection (1), the functions of the Centre are to—
 - (a) draw up plans and coordinate actions for counter terrorism, terrorism financing, proliferation and proliferation financing;
 - (b) collect or solicit information to identify a person, group or entity that, based on reasonable grounds, or a reasonable basis to suspect or believe, meet the criteria for designation or national listing;
 - (c) collect, solicit, integrate and analyse intelligence pertaining to terrorism, proliferation and proliferation financing;
 - (d) maintain a database of known and suspected terrorists and terrorist organisations, their networks, goals, strategies, capabilities, support and other relevant information;
 - (e) provide law enforcement agencies access to the intelligence support necessary to execute counter terrorism and proliferation plans and accomplish their assigned tasks;
 - (f) coordinate with investigation and intelligence agencies to ensure effective detection and prosecution of terrorism, terrorism financing, proliferation and proliferation financing;

- (g) prepare regular threat assessment reviews and disseminate them to the appropriate levels in the Government;
- (h) develop and promote the adoption of best practices for coordination of law enforcement agencies, government institutions and the general public in combating of terrorism; and
- (i) enhance the State's capacity to—
 - (i) prevent the creation of safe havens for terrorists;
 - (ii) detect chemical, biological, radioactive or nuclear materials;
 - (iii) search, confiscate and establish safe control of chemical, biological, radioactive or nuclear materials;
 - (iv) account for, control and provide physical protection of chemical, biological, radioactive or nuclear threats;
 - (v) provide security of civilian and non-civilian institutions from chemical, biological, radioactive or nuclear threats;
 - (vi) respond to, mitigate and investigate chemical, biological, radioactive or nuclear incidents;
 - (vii) conduct inspections of chemical, biological, radioactive and nuclear facilities, institutions or any person or entity that may be holding such materials;
 - (viii) facilitate national, regional and global sharing of information for countering terrorism, terrorism financing, proliferation and proliferation financing;
 - (ix) ensure ratification and implementation of international conventions on terrorism and proliferation;
 - (x) coordinate the implementation of the relevant United Nations Security Council Resolutions and other international conventions on terrorism and proliferation;
 - (xi) provide centralised services to law enforcement agencies, Government institutions and the general public in matters of national security or public interest in the following:
 - (A) forensic criminal investigations;
 - (B) scene of crime investigations;
 - (C) forensic accounting investigations;
 - (D) visual technical surveillance of public places to help in investigations of crime;
 - (E) laboratory analysis of chemical, biological, radioactive and nuclear materials, whether connected to a crime or not; or
 - (F) maintenance of a general national database of suspected terrorists or terrorist organisations; or
 - (xii) provide, facilitate or recommend appropriate training of security and defense personnel in countering terrorism.

[section 6 amended by section 4 of [Act 6 of 2023](#) and substituted by section 3 of [Act 30 of 2024](#)]

7. National Anti-Terrorism Committee

- (1) There is established the National Anti-Terrorism Committee which consists of the following part-time members:
 - (a) the Director-General-General of the Zambia Security Intelligence Service who shall be the Chairperson;
 - (b) the Inspector-General of Police, who shall be the Vice-Chairperson; and
 - (c) a representative each, responsible for operations, from the—
 - (i) Zambia Army;
 - (ii) Zambia Air Force;
 - (iii) Zambia National Service;
 - (iv) Zambia Correctional Service; and
 - (v) Department of Immigration; and
 - (vi) Drug Enforcement Commission

[paragraphs (c) substituted by section 5(a) of Act 6 of 2023]
 - (d) a representative of the—
 - (i) Attorney-General; and
 - (ii) Financial Intelligence Centre;

[paragraph (d) added by section 5(a) of Act 6 of 2023]
 - (e) a representative from any other relevant institution that the Minister may consider necessary for purposes of this Act; and

[paragraph (e) added by section 5(a) of Act 6 of 2023]
- (2) The institutions or organisations referred to in subsection (1) shall nominate their representatives for appointment by the Minister.

[subsection (2) substituted by section 5(b) of Act 6 of 2023]
- (3) A person shall not be nominated or appointed as a member of the Committee if that person—
 - (a) is not a citizen of Zambia;
 - (b) is mentally and physically incapable of discharging the functions of a member;
 - (c) has been convicted of an offence under any law for a term exceeding six months without the option of a fine;
 - (d) is a Member of Parliament or an officer or employee of a local authority; or
 - (e) is an office bearer or employee of a political party.
- (4) The Director-General shall be the Secretary to the Committee.

8. Functions of Committee

The functions of the Committee are to—

- (a) give general or specific policy directives to the Centre regarding obligations and measures to be taken in the prevention, detection, and deterrence of the commission of terrorism acts, terrorism financing, proliferation and proliferation financing; and

- (b) perform such other functions as are necessary to give effect to this Act.

9. Sub-committees

- (1) The Committee may, for the purpose of performing its functions under this Act, constitute any sub-committee and delegate to the sub-committee such of its functions as it considers necessary.
- (2) The Committee may appoint, as members of a subcommittee constituted under subsection (1), persons who are or are not members of the Committee and such persons shall hold office for such period as the Committee may determine.
- (3) A sub-committee may regulate its own procedure.

9A. Allowances

A member of the Committee or any sub-committee of the Committee shall be paid allowances that may be determined by the Emoluments Commission on the recommendation of the Minister.

[section 9A inserted by section 6 of Act 6 of 2023]

10. Delegation of functions of Committee

The Committee may, by direction, in writing, and subject to such terms and conditions as it considers necessary, delegate any of the functions of the Committee to the Director-General, a member or sub-committee.

11. Director-General and other staff

- (1) The President shall, through a Service Commission appoint, as a public officer, the Director-General of the Centre.
- (2) The Director-General shall, subject to the general or specific directions of the Committee—
 - (a) be responsible for the administration of the Centre;
 - (b) be responsible to the Committee for matters concerning the Centre;
 - (c) notify a reporting entity, supervisory authority, State institution and any other person or entity of an organisation declared to be a terrorist organisation and proliferation related entity; and

[paragraph (c) substituted by section 7(a) of Act 6 of 2023]

 - (d) exercise the functions conferred or imposed upon the Director-General by or under this Act.
- (3) There shall be appointed or seconded from the Public Service such other officers as shall be necessary to assist the Director-General in the performance of the Director-General's functions under this Act.
- (4) A function conferred by or under this Act on the Director-General may be performed by any person acting as Director-General if the Director-General is unable to perform any function due to any cause.
- (5) The Director-General may issue orders and instructions for the general administration of the Centre in relation to duties, distribution, inspection, transfer, training, arms, clothing, equipment, transport and places of residence and such other orders necessary to promote efficiency and discipline of the Centre.

- (6) The command and control of the Centre in any place or area shall vest in the anti-terrorism officer who is appointed by the Director-General to be in charge of the Centre in that place or area.

[section 7(b) of Act 6 of 2023 purports to delete the words "and proliferation", but the words do not exist in this subsection.]

- (7) The Director-General may request specialised agencies in law enforcement, intelligence and internal security to second staff to the centre.

12. Anti-terrorism officer

- (1) The Director-General shall, in order to ensure compliance with the provisions of this Act, appoint anti-terrorism officers that may be necessary for that purpose.
- (2) An anti-terrorism officer shall be provided with a certificate of appointment and identity card which shall be *prima facie* evidence of the anti-terrorism officer's appointment.
- (3) An anti-terrorism officer shall, in performing a function under this Act—
 - (a) be in possession of an identity card or a certificate of appointment under subsection (2); and
 - (b) show the identification card or certificate of appointment to any person who requests to see it, or is subject to an investigation under this Act.
- (4) An anti-terrorism officer may, on production of the identity card or a certificate of appointment issued under subsection (2), demand the production of, and inspect or make copies of any documents or accounts kept by a person, pursuant to the provisions of this Act.

[section 12 substituted by section 8 of Act 6 of 2023]

13. Powers of anti-terrorism officers

- (1) Without prejudice to any other law, an anti-terrorism officer shall, in the exercise of a function and performance of a duty, have all the powers conferred on an authorised officer by this Act, the State Security Act, the Preservation of Public Security Act, the Emergency Powers Act, the Police Act and the Criminal Procedure Code.
- (2) Despite anything to the contrary contained in any other law, an anti-terrorism officer or an authorised officer may, while on duty, carry such small arms as may be prescribed under this Act and may, in the course of duties, use such arms in circumstances where the use of arms is necessary and justifiable.

[Cap. 111; Cap. 112; Cap. 103; Cap. 107; Cap. 88]

14. Entry by anti-terrorism officer or authorised officer

- (1) An anti-terrorism officer, or an authorised officer may, at any reasonable time, enter any site or premises and inspect the site or premises, after giving reasonable notice to the person responsible for the site or premises, for the purpose of ensuring compliance with this Act.
- (2) Despite subsection (1), an anti-terrorism officer or an authorised officer may enter a site or premises for purposes of this Act, with a warrant, if the anti-terrorism officer or an authorised officer has reasonable grounds to believe that a provision of this Act has been or is about to be contravened or the site or premises have been used or are being used for the commission of an offence.

[section 9 of Act 6 of 2023 purports to amend subsection (2) by deleting the phrase "and proliferation" after the word "anti-terrorism". However, the phrase "and proliferation" does not exist in this subsection.]

- (3) An anti-terrorism officer or an authorised officer shall, where requested by a person responsible for any site or premises, produce evidence of the authorisation or permission to enter the site or premises.
- (4) A person exercising any power under this section shall do so with reasonable care and in a manner that causes as little damage as possible.

15. Duty to provide information to anti-terrorism officer and authorised officer

- (1) A person responsible for a site or premises shall, on demand by an anti-terrorism officer or an authorised officer—
 - (a) provide to the anti-terrorism officer or an authorised officer information that is within that person's knowledge in all matters relating to an inspection or investigation done under this Act; and
 - (b) produce for inspection, any document or record relating to any matter that is the cause for the inspection or investigation.
- (2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding seven hundred thousand penalty units or to imprisonment for a term not exceeding seven years, or to both.

16. Oath of allegiance and declarations

The advisors, experts and other members of staff of the Centre shall, on appointment, take an oath or affirmation before the Director-General in the prescribed manner and form.

17. Prohibition of publication or disclosure of information to unauthorised persons

- (1) A person shall not, without the consent, in writing, given by or on behalf of the Centre, publish or disclose to an unauthorised person, otherwise than in the course of duties of that person, the contents of any document, communication or information that relates to or which has come to the knowledge of that person in the course of that person's duties under this Act.
- (2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.
- (3) A person who, having any information which to the knowledge of that person has been published or disclosed in contravention of subsection (1), unlawfully publishes or communicates the information to another person commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

18. Duty of reporting

- (1) A reporting entity, supervisory authority, State institution and any other person or entity that has been notified of an entity declared as a terrorist or terrorist organisation under section 40(1) shall freeze any funds held by that reporting entity, supervisory authority, State institution and any other person or entity.
- (2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding three hundred thousand penalty units.

[section 18 substituted by section 10 of [Act 6 of 2023](#)]

Part III – Terrorism and proliferation offences

19. Prohibition of terrorism

- (1) A person shall not commit terrorism.
- (2) A person shall not—
 - (a) attempt to carry out terrorism;
 - (b) participate as an accomplice in terrorism or attempted terrorism;
 - (c) organise or direct others to commit terrorism or attempted terrorism; or
 - (d) contribute to the commission of terrorism or attempted terrorism by a group of persons acting with a common purpose.
- (3) A person who contravenes subsection (1) or (2) commits an offence and is liable, on conviction—
 - (a) in the case of a natural person, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections 72B and 72C.

[section 19 substituted by section 4 of [Act 30 of 2024](#)]

20. Prohibition of terrorism financing

- (1) A person shall not commit terrorism financing.
- (2) A person shall not—
 - (a) attempt to carry out terrorism financing;
 - (b) participate as an accomplice in terrorism financing or attempted terrorism financing;
 - (c) organise or direct others to commit terrorism financing or attempted terrorism financing; or
 - (d) contribute to the commission of terrorism financing or attempted terrorism financing by a group of persons acting with a common purpose.
- (3) A person who contravenes subsection (1) or (2) commits an offence and is liable, on conviction—
 - (a) in the case of a natural person, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections 72B and 72C.
- (4) Terrorism financing—
 - (a) is a predicate offence to money laundering;
 - (b) extends to any funds or other assets, whether from a legitimate or illegitimate source;
 - (c) does not require that the funds or other assets were actually used to carry out, or attempt to carry out, terrorism or be linked to a specific case of terrorism; or
 - (d) applies, regardless of whether the person alleged to have committed the offence is in the Republic or a different country from where the terrorist or terrorist organisation is located, or the offence occurred or shall occur.

[section 20 substituted by section 11 of [Act 6 of 2023](#) and by section 5 of [Act 30 of 2024](#)]

21. Prohibition of proliferation

- (1) A person shall not commit proliferation.

- (2) A person shall not—
- (a) attempt, or participate, or organise or direct others, to commit proliferation; or
 - (b) contribute to the commission of proliferation by a group of persons acting with a common purpose.
- (3) A person who contravenes subsection (1) or (2) commits an offence and is liable, on conviction—
- (a) in the case of a natural person—
 - (i) for a first offence, to imprisonment for a term of not less than twenty years but not exceeding twenty-five years; or
 - (ii) for a second or subsequent offence, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections [72B](#) and [72C](#).

[section 21 substituted by section 6 of [Act 30 of 2024](#)]

21A. Theft of chemical, biological, radiological or nuclear materials

- (1) A person commits an offence if that person, without claim of right, fraudulently takes or converts a chemical, biological, radiological or nuclear material.
- (2) A person who commits an offence under subsection (1) is liable, on conviction—
- (a) in the case of a natural person—
 - (i) for a first offence, to imprisonment for a term of not less than seven years but not exceeding ten years; or
 - (ii) for a second or subsequent offence, to imprisonment for a term of not less than thirty-five years; or
 - (b) in the case of a legal person, to the penalties specified under sections [72B](#) and [72C](#).

[section 21A inserted by section 7 of [Act 30 of 2024](#)]

21B. Robbery of chemical, biological, radiological or nuclear materials

- (1) A person who steals a chemical, biological, radiological or nuclear material, and, at or immediately before or immediately after the time of stealing that chemical, biological, radiological or nuclear material, uses or threatens to use actual violence to any person or property to obtain or retain the chemical, biological, radiological or nuclear material stolen or to prevent or overcome resistance to the chemical, biological, radiological or nuclear material being stolen or retained, commits an offence.
- (2) A person who commits an offence under subsection (1) is liable, on conviction—
- (a) in the case of a natural person—
 - (i) for a first offence, to imprisonment for a term of not less than fifteen years but not exceeding twenty-five years; or
 - (ii) for a second or subsequent offence, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections [72B](#) and [72C](#).

[section 21B inserted by section 7 of [Act 30 of 2024](#)]

21C. Aggravated robbery of chemical, biological, radiological or nuclear materials

- (1) A person who steals, or being armed with any offensive weapon or instrument, or being together with one person or more, steals a chemical, biological, radiological or nuclear material, and, at or immediately before or immediately after the time of stealing a chemical, biological, radiological or nuclear material, uses or threatens to use actual violence to any person or property to obtain or retain the chemical, biological, radiological or nuclear material stolen or to prevent or overcome resistance to the chemical, biological, radiological or nuclear material being stolen or retained, commits an offence.
- (2) A person who commits an offence under subsection (1) is liable, on conviction—
 - (a) in the case of a natural person—
 - (i) for a first offence, to imprisonment for a term of not less than fifteen years but not exceeding twenty-five years; or
 - (ii) in the case of a second or subsequent offence, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections [72B](#) and [72C](#).

[section 21C inserted by section 7 of [Act 30 of 2024](#)]

21D. Embezzlement of a chemical, biological, radiological or nuclear material

- (1) A person who embezzles or pilfers a chemical, biological, radiological or nuclear material commits an offence.
- (2) A person who commits an offence under subsection (1) is liable, on conviction—
 - (a) in the case of a natural person—
 - (i) for a first offence, to imprisonment for a term of not less than ten years but not exceeding fifteen years; or
 - (ii) for a second or subsequent offence, to imprisonment for a term of not less than twenty-five years; or
 - (b) in the case of a legal person, to the penalties specified under sections [72B](#) and [72C](#).

[section 21D inserted by section 7 of [Act 30 of 2024](#)]

21E. Acts against chemical, biological, radiological or nuclear facilities

- (1) A person commits an offence if that person performs any action directed against a chemical, biological, radiological or nuclear facility, or interferes with the operation of a chemical, biological, radiological or nuclear facility, or uses or damages a chemical, biological, radiological or nuclear facility, where the person—
 - (a) causes or knows that the act is likely to cause death or serious bodily injury to any person or substantial damage to property or to the environment;
 - (b) causes the release or risks the release of a radioactive material with the intent to cause death or serious bodily injury to any person, or substantial damage to property, or to the environment; or
 - (c) intends to compel a person, an international organisation or a State to do or refrain from doing any act.

- (2) A person who commits an offence under subsection (1) is liable, on conviction—
- (a) in the case of a natural person—
 - (i) for a first offence, to imprisonment for a term of not less than twenty years but not exceeding twenty-five years; or
 - (ii) for a second or subsequent offence, to imprisonment for a term of not less than thirty-five years; or
 - (b) in the case of a legal person, to the penalties specified under sections 72B and 72C.

[section 21E inserted by section 7 of Act 30 of 2024]

21F. Unlawful demand for Chemical, biological, radiological or nuclear material or device

- (1) A person shall not intentionally and without lawful authority, by threat, under circumstances which indicate the credibility of the threat, or by use of force or by any other form of intimidation, demand for a chemical, biological, radiological or nuclear material or device.
- (2) A person who contravenes subsection (1) commits an offence and is liable, on conviction—
- (a) in the case of a natural person—
 - (i) for a first offence, to imprisonment for a term of not less than fifteen years but not exceeding twenty-five years; or
 - (ii) for a second or subsequent offence, to imprisonment for a term of not less than thirty-five years; or
 - (b) in the case of a legal person, to the penalties specified under sections 72B and 72C.

[section 21F inserted by section 7 of Act 30 of 2024]

21G. Threats concerning chemical, biological, radiological or nuclear materials

- (1) A person shall not threaten—
- (a) to use a chemical, biological, radiological or nuclear material to cause death or serious injury, to any person, or substantial damage to property or to the environment; or
 - (b) to commit any offence under sections 21 to 21F in order to compel a person, international organisation or State to do or to refrain from doing any act.
- (2) A person who contravenes subsection (1) commits an offence and is liable, on conviction—
- (a) in the case of a natural person—
 - (i) for a first offence, to imprisonment for a term of not less than five years and not exceeding fifteen years; or
 - (ii) for a second or subsequent offence, to imprisonment for a term of not less than thirty-five years; or
 - (b) in the case of a legal person, to the penalties specified under sections 72B and 72C.

[section 21G inserted by section 7 of Act 30 of 2024]

22. Prohibition of proliferation financing

- (1) A person shall not commit proliferation financing.

- (2) A person shall not—
- (a) collect or avail funds to nationals or foreigners who are in the Republic with the intention or knowledge that the funds should be used or may be used to finance the travel of an individual to another State other than their State of residence or nationality with the purpose of perpetrating, planning, preparing or participating in proliferation or providing or receiving proliferation training;
 - (b) knowingly plan or incite proliferation financing; or
 - (c) participate as an accomplice, organise, or instruct another person, to carry out proliferation financing, or contribute to the commission of proliferation financing or attempted proliferation financing, by a group of persons acting with a common purpose.
- (3) For purposes of this Act, proliferation financing—
- (a) is a predicate offence to money laundering;
 - (b) extends to any funds or other assets, whether from a legitimate or illegitimate source;
 - (c) does not require that the funds or other assets, were actually used to carry out or attempt to carry out proliferation financing or be linked to a specific case of proliferation financing; or
 - (d) applies, regardless of whether the person alleged to have committed the offence is in the Republic or a different country from where a person is located, or the offence occurred or shall occur.
- (4) A person who contravenes subsection (1) or (2) commits an offence and is liable, on conviction—
- (a) in the case of a natural person—
 - (i) for a first offence, to imprisonment for a term of not less than twenty years but not exceeding twenty-five years; or
 - (ii) for a second or subsequent offence, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections 72B and 72C.

[section 22 repealed by section 12 of Act 6 of 2023 and inserted by section 8 of Act 30 of 2024]

23. Prohibition of training for terrorism or proliferation

[heading substituted by section 9(a) of Act 30 of 2024]

- (1) A person commits an offence if that person provides instruction or training for terrorism or proliferation and at the time that the person provides the instruction or training knows or ought to have known that a person receiving the instruction or training intends to use the skills in which that person is being instructed or trained—
- (a) for, or in connection with, the commission or preparation of an act of terrorism or proliferation; or
 - (b) for assisting the commission or preparation of an act of terrorism or proliferation.
- (2) A person commits an offence if that person receives instruction or training for terrorism or proliferation and uses the instruction or training—
- (a) for, or in connection with, the commission or preparation of an act of terrorism or proliferation; or
 - (b) to assist in the commission, or preparation, of an act of terrorism or proliferation.

- (3) It is irrelevant for the purposes of subsections (1) and (2)—
- (a) whether any instruction or training is provided generally or to one or more specific persons; or
[paragraph (a) substituted by section 9(b) of Act 30 of 2024]
 - (b) whether the acts in relation to which a person intends to use the training for terrorism or proliferation consists of one or more acts of terrorism or proliferation.
[paragraph (b) substituted by section 9(b) of Act 30 of 2024]
- (4) A person convicted of an offence under this section is liable—
- (a) in the case of a natural person, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections 72B and 72C.
[subsection (4) substituted by section 9(c) of Act 30 of 2024]
- (5) For the purposes of this section—
- (a) a reference to the provision of instruction includes a reference to making the instruction available either generally or to one or more specific persons; and
 - (b) an invitation to receive instruction or training for terrorism or proliferation may be general or targeted specifically to one or more persons.

[section 23 substituted by section 13 of Act 6 of 2023]

24. Directing terrorist organisation or proliferation related entity

A person who directs the activities of a terrorist organisation or proliferation related entity which is concerned in the commission of acts of terrorism, terrorism financing, proliferation or proliferation financing commits an offence and is liable, on conviction, to imprisonment for life.

25. Possession of article for terrorist or proliferation purposes

A person who possesses an article for a purpose connected with the commission, preparation or instigation of an act of terrorism or proliferation commits an offence and is liable, on conviction, to imprisonment for life.

26. Collection of information for terrorism or proliferation purposes

[heading substituted by section 10(a) of Act 30 of 2024]

- (1) A person commits an offence if that person for purposes of or in connection with terrorism and proliferation—
 - (a) collects, makes or transmits a record of information of a kind likely to be useful to a person committing or preparing an act of terrorism or proliferation; or
 - (b) possesses a document or record containing information likely to be used for terrorism or proliferation.
[paragraph (b) amended by section 10(b) of Act 30 of 2024]
- (2) A person convicted of an offence under subsection (1) is liable to imprisonment for life.

26A.

A person commits an offence if that person radicalises a person, or promotes the radicalisation of a person, group or entity and is liable, on conviction—

- (a) in the case of a natural person—
 - (i) for a first offence, to imprisonment for a term of not less than twenty years but not exceeding twenty-five years; or
 - (ii) for a second or subsequent offence, to imprisonment for a term of not less than thirty-five years; or
- (b) in the case of a legal person, to penalties specified under sections [72B](#) and [72C](#).

[section 26A inserted by section 11 of [Act 30 of 2024](#)]

27. Incitement of offences

- (1) A person who incites another person or organisation to commit an act of terrorism or proliferation, commits an offence and is liable, on conviction, to imprisonment for life.
- (2) For the purposes of subsection (1), it is immaterial whether or not the person or organisation incited is in Zambia at the time of the incitement.

28. Aiding, abetting, conspiracy, etc of terrorism act or proliferation

- (1) A person who aids, abets, counsels, procures, incites or solicits the commission of terrorism or proliferation commits an offence and is liable on conviction—
 - (a) in the case of a natural person, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections [72B](#) and [72C](#).
- (2) A person who intentionally aids, abets or counsels a terrorist, a designated or nationally listed person, group or entity commits an offence and is liable, on conviction—
 - (a) in the case of a natural person, to imprisonment for a term of not less than five years; or
 - (b) in the case of a legal person, to the penalties specified under sections [72B](#) and [72C](#).

[section 28 substituted by section 12 of [Act 30 of 2024](#)]

29. False reporting

A person who knowingly makes a false report or issues any false communication purporting that terrorism and proliferation offence has been or is intended to or is likely to be committed commits an offence and is liable, on conviction, to imprisonment for a term of not less than twenty years, but not exceeding thirty years.

[section 29 amended by section 13 of [Act 30 of 2024](#)]

30. **Harbouring, concealing, etc of terrorism, terrorism financing, proliferation or proliferation financing**

[heading substituted by section 14(a) of [Act 30 of 2024](#)]

- (1) A person commits an offence if that person harbours, conceals or provides a safe haven to—
 - (a) a terrorist, a terrorist organisation, or person who finances or supports a terrorist, terrorist organisation, or the commission of terrorism; or
[paragraph (a) amended by section 14(b) of [Act 30 of 2024](#)]
 - (b) to a person who is involved in proliferation, proliferation financing or supports the commission of proliferation or proliferation financing.
- (2) A person convicted of an offence under subsection (1) is liable to imprisonment for life.
- (3) It shall be a defence for a person charged with an offence under subsection (1) if that person satisfies the court that the person did not know and had no reasonable cause to believe that the person was harbouring, concealing or providing a safe haven to a—
 - (a) terrorist, terrorist organisation or a person who finances or supports a terrorist or terrorist organisation, or the commission of terrorism; or
[paragraph (a) amended by section 14(c) of [Act 30 of 2024](#)]
 - (b) person or organisation involved in proliferation or proliferation financing.

[subsection (3) added by section 14 of [Act 6 of 2023](#)]

31. **Conspiring to commit terrorism, terrorism financing, proliferation or proliferation financing**

[heading substituted by section 15(a) of [Act 30 of 2024](#)]

- (1) A person who conspires to commit an act of terrorism, financing, proliferation or proliferation financing commits an offence and is liable, on conviction, to the penalties specified under sections [19](#), [20](#), [21](#) or [22](#).
[subsection (1) substituted by section 15(b) of [Act 30 of 2024](#)]
- (2) A person commits an offence if that person does any of the acts listed under sections 21 and 394 of the Penal Code.
- (3) A person convicted of an offence under subsection (2) is liable to imprisonment for life.

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32. **Fundraising and other support**

- (1) A person commits an offence if that person—
 - (a) invites another person to provide or make available funds or other assets for the purpose of terrorism, terrorism financing, proliferation or proliferation financing; or
 - (b) knowingly provides or make available funds or other assets, where an invitation is made under paragraph (a).
- (2) A person who commits an offence under subsection (1) is liable, on conviction, to the penalties specified under sections [19](#), [20](#), [21](#) or [22](#).

- (3) A reference in this section to the provision of funds or other assets is a reference to the funds or other assets being given, lent or otherwise made available, whether or not for consideration.

[section 32 amended by section 15 of [Act 6 of 2023](#) and substituted by section 16 of [Act 30 of 2024](#)]

33. Use and possession of property for terrorism and proliferation

- (1) A person who knowingly uses, or who causes or permits any other person to use, funds or article for the purposes of terrorism or proliferation commits an offence and is liable, on conviction, to imprisonment for life.
- (2) A person commits an offence if that person possesses funds and intends those funds to be used for the purposes of terrorism or proliferation.
- (3) A person convicted of an offence under subsection (2) is liable to imprisonment for life.

34. Assisting retention or control of terrorist funds

- (1) A person commits an offence if that person facilitates knowingly the retention or control by or on behalf of another person of terrorist or proliferation funds whether—
- (a) by concealment;
 - (b) by removal from the jurisdiction;
 - (c) by transfer to nominees; or
 - (d) in any other way.
- (2) A person convicted of an offence under subsection (1) is liable to imprisonment for life.

35. Support services for terrorism or proliferation

- (1) A person commits an offence if that person with intent that the same should be used, or having reasonable cause to suspect that the same shall be used, for the purposes of terrorism, terrorism financing, proliferation or proliferation financing, provides or makes available, or offers to provide or make available—
- (a) a financial service or any service for the safe keeping of any property;
 - (b) any forged or falsified document;
 - (c) access to any premises, vehicle, vessel, aircraft or place;
 - (d) access to any communications equipment or capability; or
 - (e) any services, skill or expertise of any kind.
- (2) A person convicted of an offence under subsection (1) is liable to imprisonment for life.

36. Disclosure of information relating to offence

- (1) Subject to subsection (2) and the Plea Negotiations and Agreement Act, 2010, a person who is involved in a transaction or arrangement relating to funds or other property may be granted immunity from prosecution if, as soon as practicable after becoming involved in the transaction or arrangement, and on that person's own initiative, the person discloses to an anti-terrorism officer or an authorised officer—
- (a) that person's suspicion or belief that the funds or property are terrorist property; and
 - (b) the information on which that person's suspicion or belief is based.

- (2) Subsection (1) does not apply to a person if—
- (a) an anti-terrorism officer or an authorised officer forbids that person to continue the person's involvement in the transaction or arrangement to which the disclosure relates; and
 - (b) the person continues that person's involvement.
- (3) Where a person is in employment and the person's employer has established a procedure for the making of disclosures that may be made to an anti-terrorism officer or an authorised officer under subsection (1), this section shall have effect in relation to that person as if a reference in this section to disclosure included a reference to disclosure in accordance with that procedure.

[subsection (3), previously subsection (4), amended by section 16(a) and renumbered by section 16(b) of Act 6 of 2023]

37. Terrorism or proliferation property or related property

The Forfeiture of Proceeds of Crime Act, 2010 applies in relation to funds or property related to terrorism, terrorism financing, proliferation or proliferation financing and any other property liable to seizure or forfeiture under this Act.

[Act No. 19 of 2010]

38. Causing damage to public place, facility etc

- (1) A person commits an offence if that person knowingly delivers, places, discharges or detonates an explosive or other lethal device in, into or against a place of public use, a Government facility, a public transportation system or an infrastructure facility with—
- (a) intention to cause death or serious bodily harm; or
 - (b) intention to cause extensive destruction to the place, facility or system, where destruction results in or is likely to result in major economic loss.
- (2) A person convicted of an offence under subsection (1) is liable to imprisonment for life.
- (3) In this section—

“energy” has the meaning assigned to the word in the Energy Regulation Act;

[Cap. 436]

“explosive” has the meaning assigned to the word in the Explosives Act;

[Cap. 115]

“lethal device” means—

- (a) an explosive or incendiary weapon, or device that is designed, or has the capability, to cause death, serious bodily injury or substantial material damage; or
- (b) a weapon or device that is designated, or has the capability, to cause death, serious bodily injury or substantial material damage through the release, dissemination or impact of toxic chemicals, biological agents or toxins or similar substances or radiation or radioactive material;

“fuel” has the meaning assigned to the word in the Energy Regulation Act;

[Cap. 436]

“Government facility” includes any permanent or temporary facility or conveyance that is used or occupied by representatives of the State, members of Government, the Legislature, the Judiciary, any officer or employees of the State or any other public authority or entity, or officers or employees of an inter-governmental organisation in connection with their official duties; and

“infrastructure facility” means any publicly or privately owned facility providing or distributing services for the benefit of the public, such as water, sewerage, energy, fuel or communications.

39. Parallel civil or administrative proceedings

A criminal prosecution under this Part shall not preclude parallel civil or administrative proceedings in respect of a legal person.

Part IV – Declared terrorist organisation or proliferation related entity

40. Declared terrorist organisation or proliferation related entity

- (1) For the purposes of this Act, an organisation is a declared terrorist organisation or proliferation related entity if—
 - (a) the Minister has, by notice, under this section, declared the organisation or entity to be engaged in terrorism or proliferation activity;
 - (b) the organisation or entity operates under the same name as an organisation or entity referred to in paragraph (a); or
 - (c) the organisation or entity has been declared by the Security Council of the United Nations, or the African Union or nationally listed as a terrorist or proliferation organisation.
- (2) Subsection (1)(b) has effect subject to the terms of any notice published under this section.
- (3) The Minister may, where the Minister has reasonable grounds to believe that an organisation or entity is engaged in terrorism or proliferation activity, by notice published in the *Gazette* declare that the specified organisation or entity is engaged in terrorism or proliferation, respectively.
- (4) For purposes of subsection (3), an organisation or entity is engaged in terrorism or proliferation activity, respectively, if it—
 - (a) commits or participates in acts of terrorism or proliferation;
 - (b) prepares for terrorism or proliferation;
 - (c) promotes or encourages terrorism or proliferation; or
 - (d) is otherwise involved in terrorism or proliferation.

41. Membership

A person who forms, owns, belongs or professes to belong to an organisation that is a declared terrorist organisation or proliferation related entity commits an offence and is liable, on conviction, to imprisonment for life.

[section 41 amended by section 17 of [Act 6 of 2023](#)]

42. Support and meetings

- (1) A person who provides support to a person or an entity declared as a terrorist or terrorist organisation or proliferation related entity commits an offence.
- (2) A person commits an offence if that person knowingly—
 - (a) arranges, manages or assists in arranging or managing or participates in a meeting or an activity, which that person knows is connected with an act of terrorism, terrorism financing, proliferation and proliferation financing;

- (b) provides logistics, equipment or facilities for a meeting, or an activity which that person knows is connected with an act of terrorism, terrorism financing, proliferation and proliferation financing;
 - (c) attends a meeting, which that person knows supports a designated or nationally listed person or entity, or seeks to further the objectives of a designated or nationally listed person or entity; or
 - (d) addresses a meeting for the purpose of encouraging support for a declared terrorist organisation or proliferation related entity to further its activities.
- (3) A person convicted of an offence under this section is liable to imprisonment for life.

[section 42 substituted by section 18 of [Act 6 of 2023](#)]

Part V – Implementation of targeted financial sanctions

[Part V amended by section 6(c)(i), 19, 20, 21, 22, 23(a)(ii), 23(b), 24, 25, 26(a), 26(b), 26(c)(ii), 26(d), 26(e), 26(f) of [Act 6 of 2023](#) and substituted by section 17 of [Act 30 of 2024](#)]

43.

- (1) The Minister shall, on the recommendation of the Centre, nationally list a person, group or entity as prescribed in accordance with the United Nations Security Council Resolution 1373.
- (2) The determination by the Minister to nationally list a person, group or entity in accordance with subsection (1) shall be done *ex-parte* and shall not be conditional on the existence of a criminal proceeding.
- (3) The Centre shall, on national listing by the Minister under subsection (1)—
 - (a) without delay, communicate the national list to a reporting entity, supervisory authority, State institution or any other person or entity or a virtual asset service provider, for implementation as prescribed; and
 - (b) follow the prescribed procedures and standard forms for listing, as adopted by the relevant United Nations Security Council Sanctions Committee.

[section 43 substituted by section 17 of [Act 30 of 2024](#)]

44. Request from foreign State

- (1) Subject to the Mutual Legal Assistance in Criminal Matters Act, a foreign State may, pursuant to United Nations Security Council Resolutions 1373 or any other international obligation, make a request to the Attorney General for the national listing of a person, group or entity.
- (2) The request referred to under subsection (1) shall provide—
 - (a) as much relevant information as possible on the person, group or entity proposed to be nationally listed, including sufficient identifying information to allow for the accurate and positive identification of the person, group or entity;
 - (b) a statement containing as much detail as possible, the basis for the proposed national listing, including specific information to support a determination that the person, group or entity meets the relevant designation criteria as prescribed; and
 - (c) any other relevant information or documents that may be necessary to support the request for national listing.
- (3) The Attorney-General shall, within three days of receipt of the request referred to under subsection (1), submit the request to the Minister.

- (4) The Minister shall, within three days of receipt of the request referred to under subsection (3), submit the request to the Centre.
- (5) The Centre shall, within seven days of receipt of a request referred to under subsection (4), assess whether there are reasonable grounds, or a reasonable basis, to suspect or believe that the proposed person, group or entity meets the criteria for designation under United Nations Security Council Resolution 1373.
- (6) The Centre shall, where the Centre determines that the request made under this section meets the criteria under subsection (5), without delay, submit a recommendation for national listing of that person, group or entity to the Minister.
- (7) The Minister shall, on receipt of the recommendation under subsection (6), cause the national listing of a person, group or entity, and notify the Attorney-General of the national listing.
- (8) The Attorney-General shall, on receipt of the notification under subsection (7), notify the foreign State of the national listing.
- (9) A national listing made under this section shall—
 - (a) be done *ex-parte*; and
 - (b) not be made conditional on the existence of criminal proceedings relating to that person, group or entity.

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[section 44 substituted by section 17 of [Act 30 of 2024](#)]

45. United Nations sanctions list

- (1) The United Nations sanctions list shall take effect in the Republic on designation by a relevant United Nations Sanctions Committee.
- (2) The Minister shall, on the recommendation of the Centre, propose a person, group or entity to a relevant United Nations Sanctions Committee for designation as prescribed.
- (3) A proposal for designation under subsection (2), shall be made *ex-parte* and shall not be conditional on the existence of criminal proceedings.
- (4) The Centre shall—
 - (a) on a daily basis, monitor the United Nations sanctions list;
 - (b) on receipt of the relevant United Nations sanctions list, without delay, communicate the sanctions list to a reporting entity, supervisory authority, State institution or any other person or entity or a virtual asset service provider, for implementation as prescribed; and
 - (c) follow the prescribed procedures and standard forms for listing, as adopted by the relevant United Nations Sanctions Committee.

[section 45 substituted by section 17 of [Act 30 of 2024](#)]

46. Obligation of Centre on national listing or designation

The Centre shall—

- (a) communicate the national listing or designation made by the Minister or a relevant United Nations Sanctions Committee under sections 43, 44 and 45, without delay, to a reporting entity, supervisory body, State institution, any other person or entity, or a virtual asset service provider, that may be holding targeted funds or other assets in a national newspaper of general circulation or on its website or through electronic mail or any other means;

- (b) notify the nationally listed person, group or entity, specifying the implications of being listed and the procedure for review and information on the delisting process after the national listing has taken effect; and
- (c) inform the designated person or entity of the availability of the United Nations Office of the Ombudsperson or Focal Point for delisting after the designation has taken effect.

[section 46 substituted by section 17 of [Act 30 of 2024](#)]

47. Freezing of funds or other assets of designated or nationally listed person or entry

- (1) A reporting entity, supervisory body, State institution, any other person or entity or a virtual asset service provider shall, on receipt of the relevant United Nations sanctions list or the national list from the Centre—
 - (a) without delay and without prior notice, in line with the guidelines issued by the Centre, freeze all funds or other assets, of a nationally listed person, group or entity, or a designated person or entity including—
 - (i) all funds or other assets, that are owned or controlled by the nationally listed person, group or entity, or designated person or entity, and which are not necessarily tied to a particular act, plot or threat of terrorism or proliferation;
 - (ii) funds or other assets, that are wholly or jointly owned or controlled, directly or indirectly, by a nationally listed person, group or entity, or designated person or entity;
 - (iii) the funds or other assets, derived or generated from funds or other assets, owned or controlled directly or indirectly by a nationally listed person, group or entity, or designated person or entity; or
 - (iv) funds or other assets, of a person, group or entity acting on behalf of, or at the direction of, a nationally listed person, group or entity, or designated person or entity; and
 - (b) Subject to paragraph (a), report to the Centre and the relevant competent authority on any assets frozen, attempted transactions, or actions taken in compliance with the implementation of targeted financial sanctions related to terrorism, terrorism financing, proliferation and proliferation financing.
- (2) The funds or other assets, frozen under this section shall remain frozen until a nationally listed person, group or entity or a designated person or entity is removed from the national or United Nations sanctions list unless access to funds or other assets is authorised.
- (3) A reporting entity, supervisory body, State institution and any other person or entity, or a virtual asset service provider, that contravenes subsection (1) shall be liable to an administrative penalty specified under section 72A.

[section 47 substituted by section 17 of [Act 30 of 2024](#)]

48. *Bona fide* third party

There shall not lie or be instituted any criminal, civil or administrative proceedings against a *bona fide* third party acting in good faith when implementing the obligations under targeted financial sanctions under this Act.

[section 48 substituted by section 17 of [Act 30 of 2024](#)]

49. Delisting

- (1) A person who appears on the United Nations sanctions list or the national list may submit a request for delisting from the—
 - (a) United Nation sanctions list—
 - (i) to the Office of the United Nations Ombudsperson, or to the Focal Point in accordance with the procedures set out in Resolution 1730 (2006) of the United Nations Security Council or any other subsequent or future Resolution; or
 - (ii) to the Minister accompanied by supporting information and documents; or
 - (b) national list, to the Minister.
- (2) The request for delisting referred to under subsection (1) shall be made on the following grounds:
 - (a) mistaken identity or false positive;
 - (b) material and significant changes in facts or circumstances relating to the national listing or designation;
 - (c) the death, dissolution or liquidation of a designated person or entity, or nationally listed person, group, or entity; or
 - (d) any other circumstances that demonstrate that the basis for designation or national listing ceases to exist.
- (3) Where a request under subsection (1)(a) is submitted to the Minister, the Minister shall, in consultation with the Centre, submit the request to the Office of the United Nations Ombudsperson or to the Focal Point, within ten working days.
- (4) The Minister shall, where the Minister receives a request under subsection (1)(b), submit the request to the Centre for determination on whether a person, group or entity meets the grounds for de-listing under subsection (2).
- (5) The Centre shall, within sixty days of receipt of the request under subsection (4), submit a recommendation to the Minister for the de-listing of the person, group or entity where the Centre is satisfied that the person, group or entity meets the grounds for de-listing under subsection (2).
- (6) The Minister shall, within seven days of receipt of the recommendation under section (5) de-list a nationally listed person, group or entity.
- (7) The Minister may, in consultation with the Centre, submit a request for delisting from the United Nations sanctions list spontaneously where the Minister believes that the applicable criteria that led to the designation has ceased to exist.
- (8) The Centre shall, where a designated or nationally listed person, group or entity is delisted, communicate the delisting to a reporting entity, supervisory body, State institution, any other person or entity or a virtual asset service provider in a newspaper of general circulation in the Republic or on its website or through electronic mail or any other means available.

[section 49 substituted by section 17 of [Act 30 of 2024](#)]

50. Unfreezing of funds or other assets

- (1) A reporting entity, supervisory body, State institution, any other person or entity or a virtual asset service provider that receives a notice of de-listing under section 49, shall unfreeze the frozen funds or other assets.

- (2) A reporting entity, supervisory body, State institution, any other person or entity or a virtual asset service provider that unfreezes frozen funds or other assets under subsection (1) shall, without delay, submit a report to the Centre, in writing, on the funds or other assets unfrozen.
- (3) The Centre shall, where a person, group or entity with the same or similar name as the designated or nationally listed person group or entity is inadvertently affected by a freezing mechanism, without delay, direct a relevant reporting entity, supervisory body, State institution, any other person or entity or a virtual asset service provider, to unfreeze the frozen funds or other assets—
 - (a) on verification that the person, group or entity involved is not a nationally listed person, group or entity; or
 - (b) on receipt of such an instruction from the relevant United Nations Sanctions Committee in respect of a designated person or entity.

[section 50 substituted by section 17 of [Act 30 of 2024](#)]

51. Prohibition on dealing with funds or other assets, economic resources or other related resources

- (1) A person, group or entity shall not deal with funds, other assets, economic resources, or other related resources owned, held or controlled directly or indirectly, wholly or jointly, by or for the benefit of a nationally listed person, group, or entity, or a designated person or entity, an entity owned or controlled, directly or indirectly, by a nationally listed person, group, or entity or a designated person or entity, or a person or entity acting on behalf of, or at the direction of, a nationally listed person, group, or entity, or a designated person or entity, unless licensed, authorised or otherwise notified in accordance with the relevant United Nations Security Council Resolution or by the Centre.
- (2) A person who contravenes subsection (1) commits an offence and is liable, on conviction—
 - (a) in the case of a natural person, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections [72B](#) and [72C](#).
- (3) In this section, “deal with” means—
 - (a) in relation to funds—
 - (i) use, alter, move, allow access to or transfer;
 - (ii) treat the funds or other assets in a way that would result in any change in volume, amount, location, ownership, possession, character or destination; or
 - (iii) make any other change that would enable use, including portfolio management; and
 - (b) in relation to economic resources, exchange or use the resources in exchange for funds, goods or services.

[section 51 substituted by section 17 of [Act 30 of 2024](#)]

52. Prohibition of making funds or other assets, financial services or other related services available to designated or nationally listed person, group or entity

- (1) A person, group or entity shall not make any funds or other assets, economic resources, or financial or other related services, available, directly or indirectly, wholly or jointly, to or for the benefit of a nationally listed person, group, or entity, or a designated person or entity, an entity owned or controlled, directly or indirectly, by a nationally listed person, group, or entity or a designated person or entity, or a person or entity acting on behalf of, or at the direction of, a nationally listed person, group, or entity, or a designated person or entity, unless licensed, authorised or otherwise

notified in accordance with the relevant United Nations Security Council Resolution or by the Centre.

- (2) A person who contravenes subsection (1) commits an offence and is liable, on conviction—
- (a) in the case of a natural person, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections 72B and 72C.

[section 52 substituted by section 17 of Act 30 of 2024]

53. Prohibition of procuring, supplying, provision, import or export of weapons, arms and related materials, sanctioned items and technical advice, services, assistance and training

- (1) A person or entity shall not facilitate the acquisition, transportation or other transactions relating to firearms, explosives, chemical, biological, radiological or nuclear weapons or their components within or through the Republic on behalf of a designated person or entity or nationally listed person, group, entity, terrorist organisation or proliferation related entity or for the benefit of that designated or nationally listed person or entity.
- (2) A person who knows or reasonably suspects that a transaction under subsection (1) is about to take place shall notify an authorised officer immediately that person becomes aware of that transaction or as soon as practicable after that person becomes aware of the transaction.
- (3) An authorised officer who receives information under subsection (2) shall take immediate steps to prevent the performance or conclusion of the transaction.
- (4) A person within or outside the Republic commits an offence if that person, directly or indirectly—
- (a) procures, supplies, delivers, sells, brokers, or transfers, imports or exports;
 - (b) agrees to procure, supply, deliver, sell, broker, transfer, import or export; or
 - (c) does any act calculated to promote the procurement, supply, delivery, brokering, sale, transfer, import or export, of items which are subject to sanctions, firearms, explosives, chemical, biological, radiological or nuclear weapons or their components and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and their spare parts, inclusive of technical advice, services, assistance, or training related to military acts or terrorism to or from—
 - (i) a designated person or entity or nationally listed person, group or entity;
 - (ii) a person or entity controlled or owned directly or indirectly by a designated person or entity or nationally listed person, group, entity, terrorist organisation or proliferation related entity referred to in paragraph (a); or
 - (iii) a person or entity acting on behalf of, or at the direction, of a designated person or entity or nationally listed person, group or entity mentioned in paragraph (a), using a Zambian or non-Zambian flagged vessel or aircraft or aircraft registered in the Republic.
- (5) A person who commits an offence under subsection (4) is liable, on conviction, to imprisonment for life.
- (6) A person commits an offence if that person directly or indirectly—
- (a) procures, supplies, delivers, sells, brokers, transfers, imports or exports;
 - (b) agrees to procure, supply, deliver, sell, broker, transfer, import or export; or

- (c) does any act calculated to promote the procurement, supply, delivery, sale, brokering, transfer, import or export, of items which are not subject to sanctions, to or from, or brokered by—
 - (i) a designated person or entity or nationally listed person, group or entity;
 - (ii) a person or entity controlled or owned directly or indirectly by a designated person or entity or nationally listed person, group or entity referred to in paragraph (a);
 - (iii) a person or entity acting on behalf of, or at the direction of a designated person or entity or nationally listed person, group or entity referred to in paragraph (a) using a Zambian or non-Zambian flagged vessel or aircraft registered in the Republic, shall—
 - (A) follow the requirements of the applicable United Nations Sanctions Committee;
 - (B) verify the end use and end use location of such items; and
 - (C) notify the relevant Security Council Sanctions Committee and where applicable, the International Atomic Energy Agency, within ten days of the supply, sale or transfer of those items.
- (7) An officer of customs or an authorised officer may—
 - (a) search and inspect all cargo to and from a designated country, including cargo on an aircraft or a vessel, where reasonable grounds, or a reasonable basis, exist to suspect or believe a violation of relevant United Nations Security Council Resolutions and sanctions related to terrorism, terrorism financing, proliferation or proliferation financing;
 - (b) seize any items subject to sanctions, arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and their spare parts, where reasonable grounds exist to suspect a violation of relevant United Nations Security Council Resolutions and sanctions relating to terrorism, terrorism financing, proliferation and proliferation financing; or
 - (c) cause the disposal of any items subject to sanctions, arms and related materials of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and their spare parts, where reasonable grounds exist to suspect a violation of relevant United Nations Security Council Resolutions and sanctions relating to terrorism, terrorism financing, proliferation or proliferation financing.
- (8) Where a search and inspection is refused by a flagged vessel of another State, the officer of customs or an authorised officer shall—
 - (a) through the Ministry responsible for foreign affairs, request the flag State permission to carry out a cargo search and inspection; and
 - (b) where a requested flag State refuses a search and inspection under paragraph (a), request the flag State, through the Ministry responsible for foreign affairs, to instruct the vessel to proceed to an appropriate and convenient port for the required search and inspection.
- (9) Where a search is still refused under subsection(8), an officer of customs or an authorised officer shall impound the vessel and conduct the search in accordance with this section or deny the flagged vessel entry into the territory of the Republic.
- (10) An officer of customs or an authorised officer shall inform the Centre of the action taken within seven days after—
 - (a) conducting a search and inspection of cargo under subsection (7)(a);
 - (b) seizure of an item subject to sanctions under subsection (7)(b); or
 - (c) disposal of an item subject to sanctions under subsection (7)(c).

- (11) A person, entity and any officer of customs or an authorised officer, shall cause the refusal of any bunkering service to be provided to a vessel or aircraft, where—
- (a) reasonable grounds exist to suspect a United Nations Security Council resolution or sanctions violation; or
 - (b) a search or inspection is refused under this section, except where those services are necessary for humanitarian purposes or until such time as the cargo has been inspected, or seized and disposed of, if necessary.
- (12) A person shall not—
- (a) directly or indirectly interfere with an officer of customs or an authorised officer in the exercise of their functions under this section; or
 - (b) provide bunkering services in contravention of this Act.
- (13) A person who contravenes this section, commits an offence and is liable, on conviction—
- (a) in the case of a natural person—
 - (i) for a first offence, to imprisonment for a term of not less than twenty years but not exceeding twenty-five years; or
 - (ii) for a second or subsequent offence, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections [72B](#) and [72C](#).

[section 53 substituted by section 17 of [Act 30 of 2024](#)]

53A. Prohibition of transporting designated or nationally listed person etc or goods

- (1) A road, water or air transportation provider or any transportation agent operating within the Republic or whose transportation carries persons or goods within or outside the Republic shall not permit or facilitate the transportation of a designated person or entity or nationally listed person, group or entity or restricted goods specified by the Minister, on the recommendation of the Centre, by *Gazette* notice.
- (2) A person shall not carry a designated or nationally listed person or group or transport restricted goods specified in the *Gazette* notice referred to under subsection (1) by road, water or air transportation within or outside the Republic.
- (3) A person who contravenes subsection (1) or (2) commits an offence and is liable, on conviction—
- (a) in the case of a natural person, to imprisonment for life; or
 - (b) in the case of a legal person, to the penalties specified under sections [72B](#) and [72C](#).

[section 53A added by section 17 of [Act 30 of 2024](#)]

53B. Prohibition of transit by designated or nationally listed person or group

- (1) A designated person or entity or nationally listed person, group or entity shall not enter or transit through the Republic if the entry or transit would be contrary to a determination of the United Nations Security Council.
- (2) Despite the provisions of any other law, the Director-General of Immigration shall not knowingly grant a visa to a designated or nationally listed person unless the Director-General has obtained the advice of the Centre that the issuance of the visa is consistent with a determination of the United Nations Security Council referred to in subsection (1).

- (3) A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding one million penalty units or to imprisonment for a term not exceeding ten years, or to both.
- (4) The provisions of this section shall not be construed as varying or waiving the requirements imposed by the Immigration and Deportation Act, 2010.

[Act No. 18 of 2010]

[section 53B added by section 17 of Act 30 of 2024]

53C. Permitted transit

Despite the provisions of sections 53A and 53B, a designated person or entity or nationally listed person, group or entity shall not be prevented from entering or transiting through the Republic where the—

- (a) designated or nationally listed person is a citizen;
- (b) entry or transit is necessary for compliance with a judicial process; or
- (c) appropriate United Nations Sanctions Committee determines, on a case by case basis, that the entry or transit is justified.

[section 53C added by section 17 of Act 30 of 2024]

53D. Access to frozen funds

- (1) A reporting entity, supervisory authority, State institution or any other person or entity, or a virtual asset service provider, that holds funds or other assets, frozen under this Act, shall allow—
 - (a) addition of interest or other earnings due on the frozen account; or
 - (b) payments due under contract, agreements or obligations that arose before the account was frozen.
- (2) The interest, other earning or payments referred to under subsection (1) shall be frozen on being credited.
- (3) Despite subsection (1) a freezing action taken pursuant to United Nations Security Council Resolution 1737 and continued by United Nations Security Council Resolution 2231, or taken pursuant to United Nations Security Council Resolution 2231 or any other successor Resolutions shall not prevent a designated person or entity from making any payment due under a contract entered into prior to the designation or listing of that person or entity, provided that the Centre has —
 - (a) determined that the contract is not related to any of the prohibited items, materials, equipment, goods, technologies, assistance, training, financial assistance, investment, brokering or services referred to in United Nations Security Council Resolution 2231 and any future successor resolutions;
 - (b) determined that the payment is not directly or indirectly received by a person or entity subject to the measures in paragraph 6 of Annex B to United Nations Security Council Resolution 2231; and
 - (c) submitted prior notification to the United Nations Security Council of the intention to make or receive such payments or to authorise, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, within ten working days prior to such authorisation.
- (4) A person, group, or entity whose funds or other assets have been frozen under this Act may submit a request, to the Minister, for authorisation to access the frozen funds or other assets to settle basic expenses or extraordinary expenses.

- (5) The request to the Minister under subsection (4) shall be accompanied by the necessary supporting documents and specification of the amount to which access is requested.
- (6) The Minister shall on receipt of the request under subsection (4), submit the request to the Centre for examination.
- (7) The Centre shall, when examining a request received under subsection (6) where a person, group or entity is nationally listed, analyse the request and make a recommendation to the Minister within five working days from the date of receipt of the request from the Minister.
- (8) The Minister may, within five working days of receipt of the recommendation from the Centre under subsection (7)—
 - (a) authorise the access to frozen funds or other assets and state the amount to be unfrozen, and notify the Centre to direct a reporting entity, supervisory authority, State institution, any other person or entity or a virtual asset service provider, holding the frozen funds or other assets, to take necessary measures to implement the decision; or
 - (b) reject the request and notify the nationally listed person, group or entity of the rejection, stating the reasons for the decision.
- (9) The Minister shall, where the request under subsection (4) relates to a designated person or entity, submit the request to the United Nations Ombudsperson or Focal Point Person under the relevant United Nations Sanctions Committee for determination and notify the Centre.
- (10) The Minister shall, on receipt of the decision to the request under subsection (9), within three working days, inform the Centre of the decision.
- (11) The Centre shall, on receipt of the decision under subsection (10)—
 - (a) where the request is granted to access frozen funds or other assets—
 - (i) direct a relevant reporting entity, supervisory authority, State institution or any other person or entity, or a virtual asset service providers, holding the frozen funds or other assets to take necessary measures to unfreeze the funds or other assets; and
 - (ii) inform the designated person or entity of the decision, in writing; or
 - (b) where the request is rejected, inform the designated person or entity of the rejection.
- (12) A relevant reporting entity, supervisory authority, State institution or any other person or entity, or a virtual asset service provider that unfreezes funds or other assets under this section shall, within five working days, submit a report in writing, to the Centre of the action taken including any relevant information and how funds or other assets used to pay for extraordinary expenses are managed.
- (13) The Centre shall, where the report submitted under subsection (12) relates to a designated person or entity submit the report to the relevant United Nations Sanctions Committee in accordance with any procedures or standard forms provided by the United Nations.

[section 53D added by section 17 of Act 30 of 2024]

53E. Circumventing prohibitions

A person who participates in activities knowing that the object or effect of those activities is to directly or indirectly circumvent, enable or formulate the contravention of provisions of this Part, commits an offence and is liable, on conviction, to a fine of one million penalty units or to imprisonment for a term of ten years, or to both.

[section 53E added by section 17 of Act 30 of 2024]

Part VI – Investigations

54. Power to arrest

An anti-terrorism officer or an authorised officer may arrest a person, without a warrant, where that officer has reasonable grounds to believe that the person has committed or is about to commit an offence under this Act.

[section 54 substituted by section 27 of [Act 6 of 2023](#)]

55. Power to detain

- (1) An anti-terrorism officer or an authorised officer may detain a person for a period not exceeding forty-eight hours, where that officer has reasonable grounds or a reasonable basis to suspect or to believe that the person has committed, or is about to commit, an offence under this Act.

[subsection (1) amended by section 18 of [Act 30 of 2024](#)]

- (2) An anti-terrorism officer or authorised officer who detains a person under subsection (1) shall, on the expiry of the forty eight hours—
 - (a) produce the person before a judge unless the forty-eight hours ends outside ordinary court hours or on a day that is not an ordinary court day; and
 - (b) apply, in writing, to the judge or magistrate for an extension of time to detain that person in custody.
- (3) An anti-terrorism officer or an authorised officer shall, in making an application under subsection (2), specify the—
 - (a) nature of the offence for which the person has been detained;
 - (b) general nature of the evidence on which the person has been detained; and
 - (c) reasons necessitating the continued holding of that person in custody.
- (4) A judge or magistrate shall, in determining an application under subsection (2)(b), consider any objection that the person who has been detained may have in relation to the application and may—
 - (a) release that person unconditionally;
 - (b) release that person subject to conditions that the judge or magistrate may impose to ensure that the person—
 - (i) does not, while on release, commit an offence, interfere with witnesses or the investigations in relation to the offence for which the person has been detained; and
 - (ii) avails oneself for the purpose of facilitating the conduct of investigations; or
 - (c) make an order for the remand of the person in custody.
- (5) Where a judge or magistrate makes an order for the remand of a person under subsection (4)(c), the period of remand shall not exceed fourteen days.
- (6) An anti-terrorism officer or an authorised officer who detains a suspect in respect of whom an order has been issued under subsection (4)(c) may, at any time before the expiry of the period of remand specified by a judge or magistrate, apply to the judge or magistrate for an extension of that period.
- (7) A judge or magistrate shall not make an order for the extension of the time for remand under subsection (6) unless the judge or magistrate is satisfied, having regard to the circumstances for which an order was issued under subsection (4)(c), it is necessary to grant the extension.

- (8) Where a judge or magistrate grants an extension under subsection (7), the period shall not, together with the period for which the person was first remanded in custody, exceed forty-five days.

[section 55 substituted by section 27 of Act 6 of 2023]

56. Power of entry, search and seizure

- (1) The Director-General may, where the Director-General has reasonable grounds to suspect that in, or on, any premises there is commission of a crime under this Act or an offence is reasonably suspected to have been committed an offence under this Act, by order, in writing, authorise an anti-terrorism officer or authorised officer to—
- (a) enter the premises and search for, seize and detain any property, book or document;
 - (b) search any person who is in, or on, the premises, and detain that person or remove the person to any place in order to facilitate the search;
 - (c) detain any person who is in, or on, the premises in whose possession or control any article or chemical, biological, radiological or nuclear material or any property is found, whom the anti-terrorism officer or authorised officer reasonably suspects or believes to have concealed or deposited the article or material;
 - (d) break open, examine and search any article, container or receptacle; and
 - (e) stop, search and detain any conveyance.
- (2) An anti-terrorism officer or authorised officer under subsection (1) may, if it is necessary to do so—
- (a) break open any outer or inner door or window of any premises;
 - (b) forcibly enter the premises or any part of it;
 - (c) remove by force any obstruction to entry, search, seizure and removal; or
 - (d) detain any person found in, or on, the premises until the premises is searched.
- (3) An article or chemical, biological radiological or nuclear material seized under this section shall be presented to a specialised analyst at the Centre or any other relevant institution in or outside the Republic for analytical and scientific examination where need arises.

[section 56 substituted by section 27 of Act 6 of 2023 and by section 19 of Act 30 of 2024]

57. Powers of investigation in cases of urgency

- (1) An anti-terrorism officer or authorised officer may, with a warrant, at any time—
- (a) enter and search any premises including a private dwelling, where information or documents which may be relevant to an investigation or inspection may be kept;
 - (b) search any person on the premises if there are reasonable grounds to suspect or believe that the person has personal possession of any document or article that has a bearing on the investigation or inspection, except that a person shall only be searched by a person of the same sex;
 - (c) examine any document or article found on the premises that has a bearing on the investigation or inspection;
 - (d) require information to be given about any document or article by—
 - (i) the owner of the premises;
 - (ii) the person in control of the premises;
 - (iii) any person who has control of the document or article; or

- (iv) any other person who may have the information;
 - (e) take extracts from, or make copies of, any book or document found on the premises that has a bearing on the investigation or inspection;
 - (f) use any computer system on the premises, or require assistance of any person on the premises to use that computer system to—
 - (i) search any data contained in, or available from, the computer system;
 - (ii) reproduce any record from the data; or
 - (iii) seize any output from the computer for examination and copying; or
 - (g) attach and, if necessary, remove from the premises for examination and safeguarding any document or article that appears to have a bearing on the investigation or inspection.
- (2) An anti-terrorism officer or authorised officer who removes any document or article from any premises in accordance with subsection (1)(g) shall—
- (a) issue a notice of seizure for the document or article to the owner of, or person in control of, the premises; and
 - (b) return the document or article as soon as practicable after achieving the purpose for which it was removed.
- (3) A person shall not—
- (a) unreasonably delay or obstruct an anti-terrorism officer or authorised officer, in the performance of the anti-terrorism officer's or authorised officer's functions;
 - (b) refuse to give an anti-terrorism officer or authorised officer any reasonable assistance that the anti-terrorism officer or authorised officer may require for the purpose of exercising that anti-terrorism officer's or authorised officer's powers; or
 - (c) give an anti-terrorism officer or authorised officer false or misleading information in answer to an inquiry made by the anti-terrorism officer or authorised officer.
- (4) A person who contravenes subsection (3) commits an offence and is liable, on conviction, to a fine not exceeding seven hundred thousand penalty units or to imprisonment for a term not exceeding seven years, or to both.
- (5) An anti-terrorism officer or authorised officer shall furnish the Director-General with a written report and any other information relating to an inspection or investigation that the Director-General may require.

[section 57 substituted by section 27 of Act 6 of 2023 and by section 20 of Act 30 of 2024]

58. Power to intercept communication and admissibility of intercepted communications

An anti-terrorism officer or an authorised officer may, for the purpose of obtaining evidence of the commission of an offence under this Act, apply to a judge to intercept communication in accordance with Part VI of the Cyber Security and Cyber Crimes Act, 2021.

[Act No. 2 of 2021]

[section 58 substituted by section 27 of Act 6 of 2023]

59. Power to obtain financial information

Without prejudice to the Financial Intelligence Centre Act, 2010, the Second Schedule shall have effect with respect to obtaining financial information for the purposes of a terrorist or proliferation investigation.

[Act No. 46 of 2010]

60. Disclosure of information

- (1) A person commits an offence if that person, knowing or having reasonable cause to suspect that an anti-terrorism officer or an authorised officer is conducting a terrorist or proliferation investigation—
 - (a) discloses to another person anything which is likely to prejudice the investigation; or
 - (b) interferes with material which is likely to be relevant to the investigation.
- (2) A person convicted of an offence under subsection (1) is liable to imprisonment for life.
- (3) A person commits an offence if that person, knowing or having reasonable cause to suspect that a disclosure has been or will be made under subsection (1)—
 - (a) discloses to another person anything which is likely to prejudice an investigation resulting from the disclosure under that section; or
 - (b) interferes with material which is likely to be relevant to an investigation resulting from the disclosure under that section.
- (4) A person convicted of an offence under subsection (3) is liable to imprisonment for life.
- (5) It is a defence for a person charged with an offence under this section to satisfy the court—
 - (a) that the person did not know and had no reasonable cause to suspect that the disclosure or interference was likely to affect a terrorist or proliferation investigation; or
 - (b) that the person had a reasonable excuse for the disclosure or interference.
- (6) Nothing in this section applies to a disclosure which is made by a practitioner—
 - (a) to the practitioner's client or to the client's representative in connection with the provision of legal advice by the practitioner to the client and not with a view to furthering a criminal purpose; or
 - (b) to any person for the purpose of actual or contemplated legal proceedings and not with a view to furthering a criminal purpose.

61. Special investigative techniques

An anti-terrorism officer or an authorised officer may in the performance of a function under this Part, use special investigative techniques including controlled delivery, undercover operations, surveillance and use of informants as maybe prescribed.

Part VII – Exclusion orders

62. Making and effect of exclusion orders

- (1) The Minister may in consultation with the Centre make an exclusion order against the person prohibiting the person from being in, or entering, Zambia where the Minister is satisfied that the person is—
 - (a) or has been involved in the commission, preparation or instigation of acts of terrorism, terrorism financing, proliferation or proliferation financing in Zambia; or
 - (b) attempting or may in consultation with the Centre attempt to enter Zambia with a view to being involved in the commission, preparation or instigation of acts of terrorism, terrorism financing, proliferation or proliferation financing.

[subsection (1) amended by section 28(a) of [Act 6 of 2023](#)]

- (2) In deciding whether to make an exclusion order under this section against a person who is ordinarily resident in Zambia, the Minister shall have regard to the question whether that person's connection with any country or territory outside Zambia is such as to make it appropriate that such an order should be made.
- (3) An exclusion order shall not be made under this section against a person who is a citizen of Zambia.
- (4) The First Schedule applies to exclusion orders.
- (5) A person who is the subject of an exclusion order may apply to the High Court for review of the order.

[subsection (5), previously subsection (6), amended by section 28(b) and renumbered by section 28(c) of [Act 6 of 2023](#)]

63. Offences in connection with exclusion orders

- (1) A person who is subject to an exclusion order and who fails to comply with the order at a time after the person has been, or has become liable to be, excluded under this Act commits an offence and is liable, on conviction, to imprisonment for a term of not less than ten years but not exceeding twenty years.
- (2) A person commits an offence if that person—
 - (a) knowingly gets involved in arrangements for securing or facilitating the entry into the Republic of a person whom that person knows, or has reasonable grounds to believe, is the subject of an exclusion order; or
 - (b) harbours the person under paragraph (a) in the Republic.
- (3) A person convicted of an offence under subsection (2) is liable to imprisonment for a term of not less than ten years but not exceeding twenty years.

Part VIII – Mutual Legal Assistance extradition and other forms of cooperation

64. Exchange of information

- (1) Without prejudice to the Mutual Legal Assistance in Criminal Matters Act, the Attorney-General may, at the request of a competent authority of a foreign State, disclose to that authority any

information in the Attorney-General's possession if the disclosure is not prohibited by any provision of law and will not be prejudicial to national security or to public safety relating to—

- (a) the actions or movements of persons suspected of involvement in acts of terrorism, terrorism financing, proliferation or proliferation financing;
- (b) the use of forged or falsified travel papers by persons involved in acts of terrorism, terrorism financing, proliferation or proliferation financing;
- (c) traffic in weapons and sensitive materials by persons suspected of involvement in acts of terrorism or proliferation;
- (d) the use of communications technologies by persons suspected of involvement in acts of terrorism, terrorism financing, proliferation or proliferation financing; and
- (e) the commission of offences by any person against this Act.

[Cap. 98]

65. Other requests from foreign States

- (1) Where a foreign State makes a request for assistance in the investigation or prosecution of an offence constituting an act of terrorism, terrorism financing, proliferation or proliferation financing, or for the tracking, attachment or forfeiture of terrorist and proliferation property located in Zambia, the Attorney-General may—
 - (a) execute the request; or
 - (b) decline to execute the request, or delay its execution, and inform the foreign State making the request of the reasons therefor.
- (2) Where the Attorney-General decides to execute a request for assistance under subsection (1), the Attorney-General may in the manner prescribed apply to the High Court for—
 - (a) an order in writing authorising an officer—
 - (i) to search the premises, search any person and inspect any document, record or thing, found therein; and
 - (ii) to seize and retain any relevant material, including any relevant document, record or thing, found therein;
 - (b) a property tracking order;
 - (c) an attachment order; or
 - (d) an order for forfeiture of property.

66. Requests to foreign States

- (1) The Attorney-General may make a request to a foreign State to either—
 - (a) designate a person or entity by providing as much identifying information as possible, and specific information supporting the designation; or
 - (b) without delay, to freeze all property, funds or other assets, belonging to, or suspected to belong to, a nationally listed person, group or entity or a designated person or entity including funds derived from property owned or controlled directly or indirectly by the nationally listed person, group or entity or designated person or entity.

[subsection (1) amended by section 29 of [Act 6 of 2023](#) and substituted by section 21 of [Act 30 of 2024](#)]

- (2) The Attorney-General may, in respect of any proceedings for an offence under this Act, apply to the High Court for an order directed to any person resident in a foreign State to appear before

court or deliver any document, record, material or thing in that person's possession or under that person's control to the jurisdiction of the court or, subject to the approval of the foreign State, to the jurisdiction of a court of the foreign State for the purpose of giving evidence in relation to those proceedings.

- (3) Evidence taken, pursuant to a request under this section, in any proceedings in a court of a foreign State may, if it is authenticated, be admitted in evidence in any proceedings to which it relates.
- (4) For the purposes of subsection (3), a document is authenticated if—
 - (a) it purports to be signed or certified by a judge, magistrate or officer in or of a foreign State; and
 - (b) it purports to be authenticated by the oath or affirmation of a witness or to be sealed with an official or public seal of a Minister, the Ministry responsible for foreign matters, Department, or an officer in or of the Government of the foreign State.

67. Form of request

- (1) A request under section 64 or 65 shall be in writing and shall be dated and signed by or on behalf of the person making the request.
- (2) A request may be transmitted in writing or by an electronic device.
- (3) A request shall—
 - (a) confirm either that an investigation or prosecution is being conducted in respect of a suspected offence related to terrorism, terrorism financing, proliferation or proliferation financing or that a person has been convicted of an offence related to terrorism, terrorism financing, proliferation or proliferation financing;
 - (b) state the grounds on which any person is being investigated or prosecuted for an offence related to terrorism, terrorism financing, proliferation or proliferation financing or details of the conviction of the person;
 - (c) give sufficient particulars of the identity of the person;
 - (d) give particulars sufficient to identify any bank, financial institution or financial service provider or other person believed to have information, document, record or materials which may be of assistance to the investigation or prosecution;
 - (e) request assistance to obtain from a bank, financial institution, financial service provider or other person any information, document, record or material which may be of assistance to the investigation or prosecution;
 - (f) specify the manner in which and the person to whom any information, document, record or material obtained pursuant to the request is to be produced;
 - (g) state whether an attachment order or forfeiture order is required and identify the property to be the subject of such an order; and
 - (h) contain such other information as may assist the execution of the request.
- (4) A request shall not be invalidated for purposes of this Act or any legal proceedings by virtue of a failure to comply with subsection (3) where the Attorney-General is satisfied that there is sufficient compliance to enable the execution of the request.

68. Counter-terrorism convention as basis of extradition

- (1) Where Zambia is a party to a counter-terrorism convention and there is in force an extradition agreement between the Government of Zambia and another State which is a party to that convention, the extradition agreement shall be deemed, for the purposes of the Extradition Act, to include provision for extradition in respect of offences falling within the scope of that convention.

- (2) Where Zambia is a party to a counter-terrorism convention and there is no extradition agreement in force between the Government of Zambia and another State which is a party to that convention, the Minister responsible for foreign affairs may, by order published in the *Gazette*, deem the counter-terrorism convention, for the purposes of the Extradition Act, to be an extradition agreement between the Government of Zambia and that State, providing for extradition in respect of offences falling within the scope of that convention.

[Cap. 94]

[Cap. 94]

Part IX – General provisions

69. Establishment of Victims of Terrorism Fund

- (1) There is established the Compensation of Victims of Terrorism Fund, which shall be administered in accordance with rules to be made by the Minister.
- (2) There shall be paid into the Fund—
- (a) such fines as shall be imposed and paid pursuant to any convictions under this Act;
 - (b) grants, gifts, donations or bequests received by the Fund with the approval of the Minister; and
 - (c) such other monies payable to the Fund by virtue of any law.

69A. Offence

A court shall not grant bail in respect of an offence under this Act for which the penalty is life imprisonment

[section 69A inserted by section 30 of [Act 6 of 2023](#)]

70. Immunity

An action or other proceedings shall not lie or be instituted against a member, a committee or a member of staff of the Centre, for or in respect of any act or thing done or omitted to be done in good faith in the exercise or performance, or purported exercise or performance of any of the powers, functions or duties conferred under this Act.

[section 70 amended by section 31 of [Act 6 of 2023](#)]

71. Regulations

- (1) The Minister may, by statutory instrument, in consultation with the Centre, make regulations that are necessary to give effect to the provisions of this Act.
- (2) Without prejudice to the generality of subsection (1), the regulations made thereunder may—
- (a) provide for measures to implement relevant United Nations Security Council Resolutions;
 - (b) provide procedures for listing and delisting of persons, entities or contracts;
 - (c) provide measures for freezing and unfreezing of assets;
 - (d) provide for the protection of third party rights;
 - (e) prescribe offences and penalties for contravention of or failure to comply with the regulation made pursuant to this Act up to a maximum of life imprisonment; and

- (f) prescribe all matters required to be prescribed under this Act.
- (3) The Minister may, by statutory instrument, amend the Schedules.

72. Offences by principal officer or shareholders of body corporate or unincorporated body

Where an offence under this Act is committed by a body corporate or unincorporated body, and the Director-General, manager or shareholder of that body is suspected to have committed the offence and is charged of that offence, that Director-General, manager or shareholder of the body corporate or unincorporated body is liable, on conviction, to the penalty specified for the offence, unless the Director-General, manager or shareholder proves to the satisfaction of the court that the act constituting the offence was done without the knowledge, consent or connivance of the Director-General, manager or shareholder or that the Director-General, manager or shareholder took reasonable steps to prevent the commission of the offence.

72A. Administrative sanctions

- (1) A legal person who commits any offence under this Act shall be liable to one or more of the following civil or administrative sanctions and the civil or administrative proceedings shall not preclude parallel criminal proceedings:
 - (a) dissolution of the legal person;
 - (b) subject to the Forfeiture of Proceeds Crime Act, 2010, forfeiture of funds or other assets;
[Act No. 19 of 2010]
 - (c) a directive to take remedial action or to make specific arrangements to redress the identified non-compliance;
 - (d) the restriction or suspension of certain specified business activities; and
 - (e) a penalty not exceeding thirty million penalty units.
[subsection (1) substituted by section 22 of Act 30 of 2024]
- (2) The Centre shall consider the following factors when determining an appropriate administrative sanction:
 - (a) the nature, duration, seriousness and extent of the relevant non-compliance;
 - (b) whether the reporting entity has previously failed to comply with any relevant law;
 - (c) any remedial steps taken by the reporting entity to prevent a recurrence of the non-compliance;
 - (d) any steps taken or to be taken against the reporting entity by—
 - (i) another supervisory authority; or
 - (ii) a professional association which the reporting entity is a member; and
 - (e) any other relevant factor, including mitigating factors.
- (3) The Centre shall, before imposing an administrative sanction, give the person, group or entity fourteen days notice in writing specifying—
 - (a) the nature of the alleged non-compliance;
 - (b) the intention to impose an administrative sanction;
 - (c) an amount or particulars of the intended administrative sanction; and

- (d) that the person, group or entity may, in writing, within a period specified in the notice, make representations as to the reasons the administrative sanction should not be imposed.
- (4) A person, group or entity may, within thirty days of receipt of an administrative sanction, appeal to the High Court against an administrative sanction imposed by the Centre.
- (5) The Centre may issue a public notice of any sanctions imposed against a reporting entity.

[section 72A inserted by section 32 of [Act 6 of 2023](#)]

72B. Applicable penalties for legal persons

- (1) A legal person that commits an offence under this Act for which a penalty has not been provided is liable, on conviction, to—
 - (a) a fine of not less than twenty million penalty units but not exceeding one hundred million penalty units; or
 - (b) dissolution subject to the Companies Act, 2017, where the legal person was created with the exclusive or predominant purpose of intention of committing the crime or when the repeated criminal practice shows that it is being used for that purpose by those in a managerial position within the legal person.

[Act No. 10 of 2017]

- (2) A legal person that is dissolved in accordance with subsection [1\(b\)](#) shall cease all activities and the funds or other assets of that legal person shall be forfeited to the State.
- (3) A legal person, may, where a fine imposed under subsection [\(1\)](#) is greater than the earnings and the economic and financial situation of that legal person, apply to the High Court to pay the fine in instalments.
- (4) The High Court shall, where the High Court grants an application under subsection [\(1\)](#), authorise the payment of the fine in instalments for a period not exceeding one year.
- (5) Where a legal person authorised to pay a fine in instalments under subsection [\(4\)](#)—
 - (a) omits to pay an instalment, the whole fine imposed under subsection [\(1\)\(a\)](#) shall become due and payable; and
 - (b) fails to pay the amount due under paragraph [\(a\)](#), the funds or other assets of the legal person shall, subject to the Forfeiture of Proceeds Crimes Act, 2010, be forfeited to the State.

[Act No. 19 of 2010]

- (6) The fine referred to under subsection [1\(a\)](#) shall be doubled where—
 - (a) the offence was committed for profit; or
 - (b) the defendant has the capacity to pay taking into consideration the defendant's economic and financial situation.

[section 72B inserted by section 23 of [Act 30 of 2024](#)]

72C. Additional penalties for legal persons

- (1) In addition to the penalties imposed under section [72B](#), the High Court may order any of the following penalties:
 - (a) temporary prohibition to exercise an activity that led to the commission of the crime;
 - (b) temporary suspension from entering into a contract with a public or private body;
 - (c) deprivation of entitlement to public grants, subsidies or incentives; or

- (d) temporary closure of the legal person.
- (2) The penalties referred to under subsection (1) shall be for a minimum of three months but not exceeding two years.

[section 72C inserted by section 23 of Act 30 of 2024]

72D. Guidelines

- (1) The Centre may issue guidelines as are necessary for the better carrying out of the provisions of this Act.
- (2) Without prejudice to the generality of subsection (1), the Centre shall issue guidelines relating to—
 - (a) the obligations of a reporting entity, supervisory authority, State institution and any other person or entity, or a virtual asset service provider that may be holding targeted funds or other assets in taking action under a freezing mechanism; or
 - (b) procedures to de-list and unfreeze funds or other assets of a person, group or entity that no longer meets the criteria for designation or national listing.
- (3) The guidelines issued by the Centre under subsections (1) and (2) shall bind all persons specified under this Act.
- (4) The Centre shall publish the guidelines on its website, or in a daily newspaper of general circulation in the Republic or the Gazette.

[section 72D inserted by section 23 of Act 30 of 2024]

72E. Appeals

A nationally listed person, group or entity that is aggrieved with the decision of the Minister may appeal to the High Court.

[section 72E inserted by section 23 of Act 30 of 2024]

73. Rules of court

The Chief Justice may, by rules of court, make provision with respect to the procedure on applications to any court under this Act.

74. General penalty

A person who contravenes a provision of this Act for which a specific penalty is not provided for shall, on conviction, be liable to a fine not exceeding one million penalty units or to imprisonment for a term not exceeding ten years or to both.

75. Offences to be cognisable

An offence under this Act is a cognisable offence for the purposes of the Criminal Procedure Code.

76. Repeal of Act No. 21 of 2007

The Anti-Terrorism Act, 2007 is repealed.

First Schedule (Section 62(4))

Exclusion orders

[First Schedule substituted by section 33 of [Act 6 of 2023](#)]

1. Duration

- (1) An exclusion order may be revoked at any time by a further order made by the Minister.
- (2) The revocation of an exclusion order against a person shall not prevent the making of a further exclusion order against the person.

2. Notice of order

- (1) A notice of the making of an exclusion order shall be served on the person against whom it has been made within fourteen days of the making of the order.
- (2) Nothing in this paragraph imposes an obligation to take any steps to serve a notice on a person at a time when the person is outside the Republic.
- (3) Where the person against whom an exclusion order is made is not for the time being detained by virtue of this Act, notice of the making of the order may be served on the person by posting it to the person's last known address or by the publication of a notice in the *Gazette* or newspaper of general circulation in the area.

3. Directions for removal

- (1) The Minister may, in consultation with the Centre, give directions for the removal from the Republic any person who is the subject of an exclusion order.
- (2) Any person who without reasonable excuse fails to comply with the directions given to that person under this paragraph commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

4. Detention pending removal

- (1) A person in respect of whom directions for removal may be given under paragraph 3 may be detained pending the giving of directions and pending removal in pursuance of the directions.
- (2) An anti-terrorism officer or an authorised officer may arrest, without warrant, a person liable to be detained under this paragraph.
- (3) A captain of a ship or aircraft, if so required by an anti-terrorism or an authorised officer shall prevent any person on board the ship or aircraft from disembarking in the Republic.
- (4) Where a captain of a ship or aircraft is required to prevent a person from disembarking, the captain may for that purpose detain the person in custody on board the ship or aircraft.
- (5) A captain of a ship or aircraft who fails to take reasonable steps to comply with a requirement imposed under this Act commits an offence and is liable, on conviction, to imprisonment for a term not exceeding two years or to a fine not exceeding two hundred thousand penalty units, or to both.
- (6) An anti-terrorism officer or an authorised officer may remove a person from a vessel, aircraft or vehicle, for detention under this Act.

5. Provisions supplementary to detention

- (1) If a judge or magistrate is satisfied that there are reasonable grounds for suspecting that a person who is the subject of an exclusion order is to be found on any premises, the judge or magistrate may grant a search warrant authorising an anti-terrorism officer or an authorised officer to enter the premises for the purpose of searching for and arresting that person.

- (2) A person detained under this Schedule shall be deemed to be in legal custody at any time when the person is detained in police custody in the Republic otherwise than on board a ship, vehicle or aircraft.
- (3) Where a person is detained under this Schedule, any anti-terrorism officer or other authorised officer may take all steps that may be reasonably necessary for identifying the person.

Second Schedule (Section 2(1))

Counter Terrorism Conventions

[Second Schedule substituted by section 33 of [Act 6 of 2023](#) and by section 25 of [Act 30 of 2024](#)]

1. The Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft of 1963;
2. The Convention for the Suppression of Unlawful Seizure of Aircraft of 1970;
3. The Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 1971 and the [Protocol thereto of 1984](#);
4. The New York Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents of 1973;
5. The International Convention against the Taking of Hostages of 1979;
6. The Convention on the Physical Protection of Nuclear Material of 1980;
7. The United Nations Convention on the Law of the Sea of 1982;
8. The Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 1988;
9. The Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf of 1988;
10. The Convention for the Suppression of Unlawful Acts against Maritime Navigation of 1988;
11. The Convention on the Marking of Plastic Explosives of 1991;
12. The International Convention for the Suppression of Terrorist Bombings of 1997;
13. The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti Personnel Mines and on their Destruction of 1977;
14. The Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 1971;
15. The Organisation of African Unity Convention on the Prevention and Combatting of Terrorism, 1999;
16. The International Convention for the Suppression of the Financing of Terrorism, 1999;
17. The International Convention for the Suppression of Acts of Nuclear Terrorism, 2005;
18. The Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 2005; and
19. The Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 2005.